



The Right Honble

M. F. G. G. G. G. G.

*The Reverend.
Rector of*



*M^r John Newte
Tiverton.*

A
DISCOURSE
Shewing the
D U T Y
Of Honouring
The Lord with our Substance,
Together with the
Impiety of *Tithe Stealing.*

By JOHN NEWTE, M. A.
Rector of *Tiverton* in *Devon*, and one
of the Proctors in Convocation for
the Diocess of *Exeter*.

*De omnibus Rebus quas dederit Dominus decima pars ei
reddenda est.* The Confessors Law.

L O N D O N :

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ADVERTISEMENT.

THAT none may be Exempted from the Duty of Paying Tithes, and other Dues to the Priest, it is appointed by the 7th. Rubrick, after the Office for the Communion, in the Book of Common Prayer.

That Yearly, at Easter, every Parishioner shall Reckon with the Parson, Vicar or Curate, or his or their Deputy or Deputies, and pay to Them or Him all Ecclesiastical Duties, accustomably due then and at that Time to be Paid.



To the Right Honourable
Sir Edward Ward Knight, Lord
Chief Baron of Her Maje-
sties Court of Exchequer.

To the Honourable
Sir Thomas Bury Knight,

To the Honourable
Robert Price Esq;

To the Honourable
Sir Salathiel Lovel Knight,
Barons of the Exchequer.

My Lords,

I Presume to Dedicate to
your Lordships the fol-
lowing Discourse concern-

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ing

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ing the great Obligations incumbent on all People to the payment of *Tithes*, in Testimony of the profound Respect due to your *Lordships*, who are the great *Patrons* and *Defenders* of the *Rights* of the *Clergy*. To you we can safely fly for Refuge against the Combinations of Wicked and Sacrilegious Men, whose Secular Interests do so much blind their Understandings, that if we may guess by their deceitful Practices, they account *Tithe Stealing* (the commonness of which Sin, makes them little sensible that it
gri A Robs

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Robs both *God* and *Man*)
either to be no Fault at all,
or else a very Pardonable
one, and more easily to be
forgiven than any other
Sin, even without Repen-
tance and making Satisfac-
tion.

"Tis unquestionably true
that we may be assured of
all Justice, and of a fair
Tryal when we come into
Court before *your Lordships*,
who do so much Honour to
the *Exchequer Bench* by your
great Wisdom, Fidelity,
Courage and Justice. But
'tis not every one can there

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Address your Lordships, and bring the Matter of their Complaint before you. The great Trouble and Expence deter many from having Recourse to Justice, and withal the danger almost inevitable of being Trick'd by the *Adversary*, who commonly in the Case of *Tithes*, distrusting his bad Cause will use ill Arts, allege false Suggestions, bring false Witnesses, frighten and abuse others for witnessing an ungrateful Truth, and do many things that are not fit to be named among Christians, to weary with
De-

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Delays, to Foil, to Oppress
and to Worst *Him*, whom
in Contempt they call the
Parson.

And when it happens, as
oftentimes it does, that a
Sacrilegious *Patron* is to be
contended with; or else
some leading powerful Man
in the *Parish*; or, some bulvy
Sycophant in a *Corporation*,
who commanding the Purse,
the Conscience, and the
Depositions of others, shall
draw them into a Confede-
racy with Himself, to unite
in Defrauding, Withholding,
or Denying the Dues of the

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Church (many of which are therefore lost because they are not Sued for) it makes it still the worse, and increases the Hardship a single Man lies under to contend with, and to oppose Persons void of Civility as well as Honesty.

These are difficulties not easily Surmounted by most of the *Clergy*; who, upon a fair computation througout the whole Kingdom, what by means of the numerous

* *There be 3845.*

Parishes Impropriated in England. Sir Hen. Spelman.

*Impropriations, * Appropriations and Sacrilegious Customs, have*

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have not Half, if a Third part of the Revenue which belongs unto *them* by the Laws of God and Man. Besides the Poverty they have to contend with, let their Cause be never so just and reasonable, yet still they find potent *Advocates* solícite against it. Men who have not that due Regard to their Characters and their Office, as your *Lordships* have; nor so good an opinion of the Sacredness of their Rights and Dues as the Christian Religion requires. And therefore this seems to give some
doubt

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doubt of the sincerity of their Faith, which can never be clearly discerned, if Integrity to the Church be wanting.

But commonly there is such a *Curse* attends the Promoters and Favourers of such unwarrantable Contentions that they are incorrigible, *As they that contend with the Priests, in the Prophet's Phrase, Hosea, 4. 4.*

And scarce shall we discern by any one Sin, more the waste and decay of Men's Estates and Families than

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than by means of that of Sacrilege. The Guilty Persons, who do most purloin from the Church are noted to be an irreputable, unthrifty sort of People, as if they had their Labours blasted by the *Breath of the Almighty*, for the injury they do to his *Church Militant* here on Earth. But your *Lordships*, at the same time do most Charitably prevent the Ruin of the one, while you resolutely maintain the Rights of the other.

But I must not Trespass too far upon your *Lordship's* Pati-

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Patience, whose whole Time almost is taken up in the publick Service of the *Church and the Crown*. Only I hope for a Pardon in taking the boldness to prefix your *Names* to this *Discourse*, which, I should not presume to have done, but for the weightiness of the Subject for which, to your great Honour, you have a real Value and Concern.

And if my good Intentions herein will move your Candour to give it a favourable Approbation and Acceptance, it will abundant-

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dantly recompence my Labours, since it gives me the desired opportunity of making a publick acknowledgement, that I am with a profound Respect

Your Lordships

most Obliged and Devoted

Humble Servant,

JOHN NEWTE.

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to the
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JOHN WHITE
THE

THE PREFACE.

THE following Discourse recommends a very necessary Christian Duty to our Practice, which is too much disregarded and neglected, to the great Shame, as well as Damage of Religion. And withal it exposes a very hainous and dangerous Crime which is too commonly practised within this Kingdom.

This Duty is The Honouring God with our Substance, or the giving unto God his Portion, The Tenth of all our Increase. Which all Nations Ancient and Modern, Jewish, Christian and Heathen, have universally performed, and thought themselves most highly obliged to.

The Crime is the Robbing of God, and stealing from that Order of Men, whom He has Appointed to be the Receivers

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ceivers of his Dues, which is the worst sort of Robbery; and has a very malignant tendency to destroy all Religion. And withal, it is very dangerous and destructive to Men's Estates, as well as their Souls. I mention their Estates first, because those Men who Purloin from the Church seem, to prefer their Estates to their Souls, tho' it generally proves a very unprofitable and unthrifty way.

The Judgments of God upon such may be long in coming, but they will surely come at last; and like the Canker eat out the Profit of the whole, for the sake of that which is so dishonestly acquired.

And then for their Souls, tho' Men of such ill Principles and Practices seldom think they have any, or else do not consider the value of them; yet precious Souls they have in danger of eternal Destruction, from which nothing can save them, but sincere Repentance and Satisfaction.

The Judicious Mr. Hooker, who has so mightily obliged the Christian Church by his incomparable Books concerning

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cerning the Laws of Ecclesiastical Polity, has an admirable Section. l. 5. §. 79. the Title of which is, of Oblations, Foundations, Endowments, Tithes, all intended for the Perpetuity of Religion, which purpose being chiefly fulfilled by the Clergies certain and sufficient Maintenance, must needs by Alienation of Church Livings be made frustrate. He has in the Margin a Remarkable Passage taken out of the Capitular of Charles the Great, sufficient to deter any one, tho' of the greatest Rank, who shall presume to contract the Guilt of Sacrilege on any account whatsoever. The Words are these,

“ Novimus Multa Regna, & Reges eorum, propterea cecidisse;
“ quia Ecclesias Spoliaverunt, Resq;
“ earum Vastaverunt, alienaverunt
“ vel deripuerunt, Episcopisq; &
“ Sacerdotibus, atq; quod magis est,
“ Ecclesiis eorum abstulerunt, &
“ Pugnantibus dederunt. Quapropter nec fortes in Bello, nec in Fide
“ Satabiles fuerunt, nec Victores extiterunt; sed Terga multi Vulnerati, & plures interfecti vert-

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“ runt;

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“ runt Regnaq; & Regiones, & quod
“ pejus est, Regna Cælestia perdidere
“ runt, atq; propriis Hæreditatibus
“ caruerunt, & hætenus carent. Ver-
“ ba Car. Mag. in Capitu. Carul. l. 7.
“ C. 104.

That is, We have known the down-
fall of many Kingdoms and their
Kings, because they have Spoiled
Churches, Wasted, Alienated, or
Plundred their Revenues, and taken
them from the Bishops and Priests,
and what is worse from the Churches,
and given them to their Soldiers. For
this reason they have been neither
Valiant in War, nor Stedfast in Faith:
Have been so far from being Con-
querers, that many of them being
Wounded have turned their Backs
upon their Enemies, and more of
them been Killed; have left their
Kingdoms and Countries. And what
is worse, the Kingdom of Heaven;
have been deprived of their Inheri-
tances, and still continue so.

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The Learned Sir Henry Spelman, in his History of Sacrilege, gives many Remarkable disasters befalling such as have Rob'd God and his Church. And I shall digress but a little from the Subject in hand, if I give a short account of one of this Parish of Tiverton (whom I just remember) tho' of a lesser Rank, yet as infamous as any, and who made as lamentable an Exit. His Name was William Hill, who, in the beginning of the Parliament's Rebellion, hearing that some were demolishing the Earl of Devonshire's Chappel, which stood in the Church-Yard, and were Carrying away from it what they could; He comes thither upon the same wicked design, and found that they had broke to Pieces a Stately Monument made for Him and his Countess, and carried away the Materials, all the Ornaments within, and the Lead at Top, &c. upon which, he Lamented his Misfortune for coming so late, and said, now they have taken away all before I came, there is nothing left for me. But looking up, he saw a Bell at the end of it, which they called the Saint's Bell. Oh,

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says he, I'll have this. And getting a Ladder, he goes up to take it down, and so letting it slip through his Hands, the Brim of it cut off his Toes on both Feet, by which means he became a Cripple, and wasting his Substance and a small Tenement he had, in the Cure of the Wounds; he became miserably Poor and unfit for Business, went about a Begging upon his Heels with a Crutch and an underhand Staff, and so he continued several Years, till a Gentleman gave him a little Horse, that he might ride farther off and Beg abroad; as he did for some time, till at last in the Parish of Anstey in this County, he and his Horse were found Dead together in a Ditch. A dismal end of a Sacrilegious Person!

I will not say so let all thine Enemies Perish, O Lord, because I hope many of them will Repent and Amend, and make Satisfaction for the Frauds they have been guilty of against God, either by Robbing his House or his Revenue. But 'tis astonishing to observe, that in a Christian Commonwealth, Men should have so little Fear of God before their Eyes, as to presume
to

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to Rob him of his reserved Portion of Tithes and Offerings, due to Him both by Divine and Humane Laws, so acknowledged and observed by all Nations and in all Times; and in our own Kingdom solemnly Dedicated to God and his Church, by irrevocable Vows above 800 Years Since*. It* Dr. Com-
shews a great decay of Christianity in^{ber.} this later Age, that These should be withheld or denied, or that they should be sued for at the Law. Which shews how unconscionable some Men act, and how far they would be from being Honest were it not for Compulsion. Yea, notwithstanding the Statute † makes it † 2 and 3
Felony to Steal Tithe after it is sepa-<sup>of Edw. 6.
C. 13. &c.</sup> rated from the Nine Parts, yet seldom any one is Indicted or Suffers for it. Tho' doubtless to Steal Tithe is a Crime far greater than Stealing any thing that is not Sacred and Dedicated to an Holy Use. And so accounted by the Statute 2 and 3 in Edw. 6. C. 13. And other Statutes.

I have often wondered how it should come to pass that a Crime of so fatal a Consequence, so justly Odious and Abominable to all Good Men, who have

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a value for the Honour of God, for the Welfare of Religion, or, for the security of a good Conscience, or, who have a due sense, even of common Honesty and Justice, should be so frequently and so unconcernedly committed. And can ascribe to no more likely Causes than to the looseness of Education, or to bad Examples, or to a Base, Turbulent, Covetous, Temper, that is as void of Generosity, as of Shame. Some indeed ignorantly commit this Sin, without considering the dangerous Consequence of it. Others hope not to be discovered, and therefore act their Frauds in the Dark, in Secret, where, if Man sees them not, they forget the All-seeing Eye of God. Others plead Conscience for it, to Rob the Church is an Article of their Religion. Others are more Impudent, either do it with open Face, or disguised Robbery, with the subterfuge of an ill Custom, or the pretence of having a decision by Law, and yet all the while do endeavour with their utmost Sagacity, and ill Arts, to pervert Justice and Judgment, and to carry on their Sacrilege with Bribery and Corruption, with false Witness and Perjury, and by forging Lies,
by

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by making Feuds and Animosities, by bringing Troubles upon, and acting Revenge against those that attest the Truth, and maliciously oppress them for daring to be Honest. If we examine the Circumstances of such Men's Actions, we shall find them to be very bad, full of Treachery and false dealing, full of Cheat and insincerity, having very little sense of Religion, and less of Honesty and Ingenuity.

But the Devil has in all Ages been very Busy, and bent his main Force and Malice, against the Priesthood and its Maintenance, knowing that if he can by any means bring These into contempt, the State of the Church and Christianity must go down with them. To that end he has made many wicked Instruments to Act by, in that wicked Work: Such as Atheists, Deists, Quakers, Tithe-Stealers, (all deny God that deny Him his due) Sacrilegious Deponents, the infernal Crew of Scandalous Affidavit-Makers, (the Retailers of Fraud and Mischief,) Republicans, Anabaptists, Covetuous Persons, and the Combinations of other Revengeful and Factious Men. Some without, and others,

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to their great Shame, within the Walls of the Church, and with a pretence of Zeal for it, while by Sacrilegious Injustice they seek to undermine it and do their utmost to lessen its Revenue.

Therefore they vilifie and hate, because they injure and defraud the Clergy; and let their pretences be what they please, it is very plain, they cannot give a greater instance of their disaffection to Them, nor disregard to Him that sent them, than by such practices.

And what is Infamous in this present Age, and will leave a Blot upon it, is, that sometimes the same Hands which receive from the Priest, the Bread of Life, to qualifie themselves for Profitable Places in the State, help to Rob him of his Maintenance. These Men, surely at best, are unreasonably moderate in the Church's Vindication.

*At other times, they secretly Abet, Countenance and Encourage Men of Profligate Lives, of none or desperate Fortunes, to Purloyn from the Priest of God, and by Scandalous, Vexatious
Law-*

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*Law-Suits, back'd with restless Soli-
citations of others, and base Confede-
racies among themselves, they act more
Mischief to the Church which they
pretend to be of, than all their Estates
are able to recompence, when favourable
Times, or the sense of their Sin, or
the hopes of their own Salvation, shall
oblige them to make Satisfaction.*

*There is indeed a Tincture of Athe-
ism in every Sin which Men do Vo-
luntarily commit, but in Sacrilege and
Perjury it is the prime ingredient.
And it is lamentable to behold some
Men involve themselves in that Guilt,
who do not occasionally, but constant-
ly come to Church, with unholy Hands
lifted up in Prayer, as if they were
some of God's Devout Worshippers,
when all the while they do but betray
Him. And are but too like that im-
pious Thief who had Artificial Hands
set in a posture of Devotion, while with
the others, more Counterfeit and False,
he pick'd the Pockets of those that were
near him.*

*In short, " There is too great an
" Indifferency in most, and too Scan-
" dalous*

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“ dalous a partiality in many, about
“ the payment of Tithes, which are
“ undoubtedly a part of the Churches
“ Patrimony, and which cannot be
“ detained without Sacrilegious In-
“ justice.

“ If they do belong to the *Clergy*,
“ are Warranted and settled by Law
“ and the common Right of the
“ *Subject* (without insisting on the
“ Divine Right) then to withhold or
“ deny them, is a downright defi-
“ ance of the Law and the Govern-
“ ment which Protects it. * And
“ there is no Reason why those
“ Men who refuse to Pay them,
“ should expect a Protection for their
“ own Rights and Properties, or
“ any benefit from that Law, by which,
“ They refuse to be Governed.

*Should only those who Dissent from
us be this way for Diminishing the
Churches esteem, in hopes by degrees
to procure its overthrow, it would not
seem altogether strange, because by the*

* Mr. Collier's *Eccles. Hist.* Vol. I. p. 158.

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Ruin of it they might hope to exalt themselves. Then indeed Popery might also have hopes of another Turn for its Re-establishment, which in all probability would soon follow the fatal Change. But that any within our own Walls should endeavour its Subversion, is monstrous Impiety.

Their fair shew outwardly, to hide their wicked intent within; their doing it a disservice, while they would seem zealous for it, shews great Insincerity and Hypocrisy. It is treacherously to Wound our Saviour in the House of his Friends. Thus Judas effectually betray'd Him with a Kiss, under a shew of Friendship, Hail Master! And ^{Matth. 26.} we have those who are altogether as ^{49.} complaisant to his Members, when they are set to favour an Ambitious or Covetous design, or have a Self-interest to carry on.

“ With all their Skill and Subtilty
“ they hide their real Intentions,
“ while with Jaws that scarce seem
“ to move, they devour the Church's
“ Patrimony, and seek to Reform by
“ taking

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“ taking away what Pious Ancestry
“ has Consecrated to it.

*But whatever Impious Men may think
or do, the Interest of Religion, since
Miracles are ceased, are much upheld
by the Revenue of it.*

*And if Divine and Humane Laws
do not support and defend a Divine and
Humane Right from the Sacrilegious
Encroachments of its Adversaries, in-
stigated thereto by its mortal Enemy the
Devil, the Doctrine of the Church will
be despised and its Discipline inervated,
and remain in a feeble tottering Condi-
tion,*

Eccl. Pol. This made the Judicious Hooker
h. 5. S. 79. (whom all allow to be a Person of the
first Rank, Eminent for Learning,
Judgment and Integrity) to Portend
its downfall, from a consideration of the
Prevalency of Sacrilege in certain parts
of the Christian World.

*And God grant it may not any longer
prevail among us to the destruction of
Christianity.*

“ They

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“ They have brought to pass (says
“ he) that as *David* does say of Man,
“ so it is in Hazard to be verified con-
“ cerning the whole Religion and
“ Service of God. The Time thereof
“ may peradventure fall out to be
“ Threescore and ten Years; and
“ if strength do serve unto Four-
“ score. What followeth is likely to
“ be small Joy for them, whatsoever
“ they be that behold it.

*But with what great insincerity all the
while do they act against God's Worship
and Service!* “ And by the same bring
“ a Curse upon themselves, Disgrace
“ and Ignominy at least, if not the
“ Misery of Beggars and the Infamy
“ of Robbers. So that the Time it
“ may be will come when they that
“ either violently have Spoiled, or
“ thus smoothly Defrauded God,
“ shall find they did but deceive them-
“ selves.

*Yet for all this, there are not wanting
those who haveing once disparaged them-
selves in a Sacrilegious Confederacy, will
add to their Guilt by pursuing' it with
Artifice*

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Artifice and Expence, even to an Anathema rather than be brought ingeniously to acknowledge and revoke their Error. The reason of it is, because they conceive there is a Shame in making an honest Satisfaction. And that too easily overcomes the little sense they have of Religion.

*All this while, they either wilfully or ignorantly drive on the Atheistical * or Faction's design of undermining the Foundation of the Church, that it may fall into Ruin and Destruction.*

How far extreme Ignorance may excuse in such a Case I shall not dispute, but we may be well assured, they that will be deliberately guilty of such an abominable piece of Sacrilege as that of Tithes-Stealing, thereby deriving a Curse upon themselves and their Posterity, will scarce stick at any other Wickedness which comes in their way, to accomplish their Unrighteous ends.

A Curse indeed seems to be already fallen upon those who obstinately refuse to

* Letter to a Deist. p. 54.

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pay this Portion of God, or the Things that are God's. And therefore he abandons them as incorrigible, to the fury of Evil Spirits, to act Mischief like themselves, with Subtilty and Cunning against the Church, with Rancour and Malice, with Treachery and Falshood against their Brethren.

It is no wonder then that they should be so bad as they are, but rather that they are not worse, for if they once arrive at that height of Impiety to Rob God, who Liveth for ever, Man cannot expect better dealing who must Die, and is not able to call them to such a severe Reckoning, as God purposes to do at the end of the World, if not before. Then if any one Defile the Temple; If any one Rob the Temple of God, him will God destroy.

*But tho' Man shall Die, yet his Priesthood shall not Die. It shall continue for ever, and be a Receiver of the Lord's Portion and Inheritance. It being a part of the Priest's Office to do so. And this Office shall never cease, it is Christ's Office, Typified by Melchizedec. And consequently the
paying*

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paying of Tithes shall never cease. It being Christ's Portion who now receiveth them, of whom, it is recorded, that He liveth, Heb. 7. 8.

I have nothing now to add, but to forewarn the Guilty Persons of future Danger, that they may speedily take the only proper method to save their Souls from Destruction; For, as far as the Word of God does warrant and oblige me to declare, the only way for the doing of that, is, heartily to repent them of their wicked Errour, and to make a suitable Amendment for the same, and a sincere Satisfaction for the Injuries they have done unto God and their Neighbour, otherwise it will be plainly impossible, either for Poor or Rich, to enter into the Kingdom of Heaven.

THE

THE
IMPIETY
OF
Tithe Stealing.

PROV. III. ix.

*Honour the Lord with thy
Substance, and with the
first-fruits of all thine in-
crease.*

THIS Precept of the *Wise Man*
has as much Respect to the
Christian Church, as any other
of the *Proverbs*; and is alto-
gether as obligatory in the Times of
the *Gospel*, as it was in the Times of
the *Law*, being founded upon God's
Express Will Antecedent to both.
And the reason of it being perpetual,
B makes

makes the Duty so too; insomuch that every one is obliged to pay Obedience to it, who has a due Value for God's Honour; or, his own Honesty and Religion, or, for the welfare of his immortal Soul.

The *Almighty God*, who alone was the *Creator of Heaven and Earth*; the Supreme Lord of all his Creatures, and the bountiful Giver of all the good Things which Man does enjoy, has not so absolutely bestow'd them upon him, but that he has reserved a *Portion to himself*, as a Testimony of his Right to all: And as a due Acknowledgment of his Bounty, and that all have a Dependance upon him.

This Portion he does expect should be faithfully returned unto Him, as an Honourary Tribute for what he has bestow'd; and in order to procure a farther Blessing upon his Labours and Possessions.

Now what this Portion is, That God will accept as a just *Tribute to his Honour and Service*, would not have been known to all People as it was, but

of Tithe Stealing. 3

but by *Divine Revelation*. Which *Learned Men*, are of Opinion God at first made known to *Adam*, and he to his Sons, and they to their Posterity; and so onward for about *Two Thousand Years*, till there was a *written Law* for it, which made it known to succeeding Generations, as far as the Law came; and where it did not reach, as it did not to the *Gentile Nations*, *These having not the Law, were* Rom. 2. 14. *a Law unto themselves*. And by the *Law of Nature*, or, the secret Suggestions of *God's Will* to them (without which, they could not be supposed exactly to hit upon the same Duty and Proportion) made it an universal Practice, both among *Jews* and *Heathens*, to pay the Tenth of all their Increase; as was done before the Law, or any *Gentile World* was in being.

This is that *Portion which God* would be honoured with, the *first Fruits of all their Increase*, with the Prime Part of that Substance which they had received from God; which heretofore all People and Nations from the very beginning of the

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World,

World, have gratefully returned back again to God for his bountiful Goodness towards them, in bestowing upon them the Possession of all the Things, which, under his Supreme Jurisdiction, they were owners of, or entrusted with.

And by returning back unto God, this his Portion with Thanksgiving, they not only acquitted themselves of that indispensable Duty, which was incumbent on them; but thereby, they shew'd that their *Trust and Dependance were upon God*; and thereby also, they took the most effectual Course to procure a Blessing upon their Store, and to add to it a manifold increase. According as the Verse following my Text intimates, as the Reason, or Effect, of this Performance. *So shall thy Barns be filled with Plenty, and thy Presses burst out with new Wine.* Wherefore; *Honour the Lord with thy Substance, and with the first Fruits of all thine Increase.*

In

of Tithe Stealing. 5

In handling of which Subject.

1. I shall first shew, the indispensable Obligation, which is incumbent upon all People to pay Tithes of all unto God, as being a part of his Divine Worship and Service: This being to Honour the Lord with their Substance, and with the first Fruits of all their Increase.

2. I shall shew the Antiquity of this Duty and Practice. It is much antecedent than the Law of Moses, and long before the Ceremonial Law was instituted, and consequently it could be no part of it; nor, therefore to cease under the Evangelical Dispensation.

3. I shall shew how much the Christian Religion does oblige to this Practice; with the Advantages of paying Tithes carefully and honestly, both with Respect to this Life and the next; as it relates to Temporal Prosperity, and Eternal Happiness.

4. I shall set forth the Malediction, or Curse, which does attend the Non-performance of this Duty, or, the Vio-

lation of it, in the impious, odious, and damnable Sin of Tithe Stealing.

5. To these I shall add, in the last Place, some few Observations upon the whole, and so conclude.

But before I begin, it will not be amiss to obviate a popular *Objection*, against the handling of so ungrateful a Subject as this, which will be accounted a Preaching for Self-Interest, for the Advantage of the *Clergy* and the welfare of the *Church*, which is already become some Men's great Eye-sore, as 'tis their Endeavour to run it down. And surely upon no other Ground so designedly as by *their Ruine*, to advance their own *Covetousness and Ambition*; *their Libertinism and Irreligion*; they do not shew the prophaneness of their Hearts, their Ingratitude towards God, their Disregard to his Holy Word, and their Distrust of his Providence more in any Thing else, than by with-holding *God's Portion* from Him; as if they thought it too great to be returned to Him again, *out of all their Increase*, tho' it be for his abundant Goodness and Mercy towards

wards them already bestowed, and for the Continuance of his Favour, if they would be sensible of it.

Some or more of those wicked Ends, which promote *Atheism* and *Impiety*, are at the Bottom, if they would but ingenuously disclose their Minds, and without Hypocrisie, discover the Secret abodings of their Heart.

But a Discourse of this Nature is most seasonable in a loose Age, when *Atheism* and *Deism*, so much prevail (not the less so for a tedious, but, at present, a necessary War, and the Rapacious Covetousness of those that seek to enrich and advance themselves, by other Men's Grievances and Misfortunes.)

When some Men's Sacrilegious Hands are more inclined to pull down, and Purloyn from the Church than to build it up, or, to add to it even its own just Right and Portion; and their Mouths are open ready to speak against it, and to swallow up the poor Remains of its Revenues, but their Purfes shut towards it.

At such a Time as this, that our *Gracious Queen* should out of her *Royal Bounty* bestow all her Right to *First-fruits and Tenths*, as being *Supreme Governour of the Church in this Realm*, for the better Maintenance and Support of the Indigent Clergy; who, with the rest of *their Brethren*, have greatly suffered through the Sacrilegious Alienations of one of Her *Royal Predecessors*, well considering, that a scandalous Maintenance generally Causes their *Persons and their Office* to be despised, however otherwise Honourable and Important; and withal brings a Contempt upon *Religion it self*, is, a flaming Instance of her great Devotion and Zeal for the Church.

It shews *Her to be a true Nursing Mother of it*. And sets a pious Example for the Imitation of those who not being *Priests*, have no Authority from God to receive Tithes, which are *God's Portion*, Heb. 7. 5. But are the usurping Possessors of *Hallowed Things*, of *impropriate Tithes and Offerings*, and *Church-Lands*, to restore them to the right Owner.

And

of Tithe Stealing. 9

And it will make Her shine bright in the *Annals* of Future Ages, when as many Generations as are to come shall call Her *Blessed*. But much Brighter when *Time shall be no more*, and Her Head be incircled with a Crown of Glory in the Kingdom of Heaven.

And shall we not justify the *Churches Patrimony*, because we have a Right to it our selves? Is it a fault to let Charity begin at Home? Or only commendable to take Care of the Things of others, and not to Regard our own?

But it is evident to all Unbias'd, Unprejudiced and Sincere Christians: That it is the Cause of God and Religion, which this Subject does chiefly maintain.

It is the *Honour of our great Master*, that it Pleads and Contends for. It is the maintaining the Credit and Welfare of our *Christian Profession*, when we give to God the Things that are God's. And when the Rights of Priest and People, are mutually preserved

served and duely regarded in Practice. It is the great Concern of every on's *immortal Soul*, is hereby advanced, when *God* is rightly *honoured by our Substance*: And a ready Compliance is made with the Manifestations of his Divine Will.

Prov. 10.
26.

And it is that, which, will evidently procure the Blessing of God, upon our honest Labours and Endeavours, by making us Thrive and Prosper in the World. Since it is *the Blessing of God that maketh Rich*: And by promoting this Part of *God's Worship and Service*, we may reasonably hope to obtain *the Promise of the Life that now is, and of that which is to come.*

1 Tim. 4.
8.

Godliness has the Promise of both. Which Promise is lost, where Impiety governs. Nay, it can never be expected, but the Reverse of it may, where Sacrilege and Robbery towards God, and Injustice towards Man, are suffered with Impunity, and carried on with Artifice and Cunning, with *Perjury and False-witness*, under the specious

of Tithe Stealing. II

cious Pretence of a Decision by Law.

If then, it be made appear, that the *giving to God his due*, or the regular *paying of Tithes*, do contribute towards those great and glorious Ends before mentioned, as I doubt not but it will: Then also it will be apparent, that 'tis no private Interest, but a publick One will be carried on by that means, so just and honourable.

And therefore I shall make it my Endeavour at this Time to vindicate the *Honour of God*, and the Reputation of *our Church and Religion*, when I press the Obligation in the Text. *Of honouring the Lord with our Substance, and with the First-fruits of all our Increase.*

I. I begin then with the first Thing proposed, *viz.*

To shew the indispensable Obligation, which is incumbent upon all People to pay Tithes of all their Increase unto God, as being a part of his Divine Worship and Service.

Man

Man was not made to be such an absolute Lord of the Universe, as to enjoy the Fulness and Fatness of the Earth; without considering the Hand from whence those Things came, but He was to have a Religious Regard to his great Benefactor, and to magnifie His Bounty and Goodness, by making an honourable Oblation of a Part unto Him of what he had received; not by way of Recompence and Satisfaction, for that He was never able to do; and be sure the return of a Part could not be enough to do it: But, it was by way of Gratitude, as an humble Acknowledgment of what He had received, as a proper Tribute belonging to the Sovereignty of his Creator; or, as a Rent Charge out of what He had so plentifully bestowed upon Him, that he might with Comfort rightfully enjoy the rest.

This was not to be any slight, trivial, inconsiderable, arbitrary Part, as he would himself; no *Will-worship* as 'tis called, but such a one as *God* was to be *Honoured by*, of the fairest and best of the Kind and *Increase of*
the

the Earth, which he was possessed of, according to his Substance and Prosperity.

It is the Concurrent Opinion of the *Learned*, that God revealed this Expectation of his to *Adam*, and he taught and directed his Sons how to make their Offerings unto the Lord, with Respect both to the *Quality*, and *Quantity* of them.

Accordingly the First that we read of this kind were the Offerings of *Cain and Abel*, Gen. 4. 3, 4. The one brought of the *Fruit of the Ground*; the other, of the *Firstlings of his Flock*, according to their different Circumstances. The one being a *Tiller of the Ground*: The other, a *Keeper of Sheep*.

In which there is this Thing to be observed, *The one was Accepted, the other Rejected*. And the Cause of it not improbably this, because *Abel* took his Father's Direction, and offered unto God *that Part*, which he was required to offer, and of the *Fat thereof*, ver. 4. But *Cain* not regarding his own Duty that he had been instructed

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æd in, as well as his Brother, nor, so much trusting in *God's Providence*, disregarded both the *Goodness* of the Offering, and the Quantity of it too.

*Acts and
Mon. of the
Church.
Chap. I.*

“ Probably (*says Bishop Montague*)
“ *The First that come to Hand without*
“ *Choice.* Not so good as he had to
“ offer, nor so much as he ought to
“ have offered. *Not the Top, the*
“ *Flower of his Wheat*, as if any Thing
“ had been good enough, if not too
“ good for God, according to the com-
“ mon Accustomed, deformed Devotion
“ of Reformed Times. Therefore it is
“ said, He did not divide aright, be-
“ twixt God and himself. He made
“ no just or proportionable Division.
“ He dealt fraudulently with God, and
“ gave him not his due.

‘Οὐκ ἐὰν ὁ
θεὸς ἀρεστὸν
εἶδεν, ὁρῶντες
ὅτι μὴ διέμελλεν,
ἡμαρτίαν.

This is exactly agreeable to the
LXX Translation of Gen. 4.7. If thou
hast offered aright, but hast not divided
aright, hast thou not sinned?

Which Translation gives the Reason, why Cain's Sacrifice was rejected, which ours does not, but only says,
That

That he did not well; *And if thou dost not well, Sin lieth at the Door.* He did not well, because he did not offer so good, nor so much, as he ought; which shews that there was a determinate Part; less than which he could not offer without sinning against God.

For which Reason, *God had no Respect to his Person, nor to his Offering; as he had to Abel and to his Offering.* Wherefore He pronounced him *accursed*, for his Unrighteousness; but *Abel* highly honoured with the Character of being *Righteous*, for his making the full Offering as he ought, and of the *best* which he had. This being suitable to his *Faith*, and the trust he had in *Him*, whom he hereby worshipped. As the *Apostle St. Paul* Records of him, *Heb. 9. 4.* *By Faith Abel offered unto God a more excellent Sacrifice than Cain; by which he obtained Witness that he was Righteous, God testifying of his Gifts: And by it he being dead, yet speaketh.*

And tho' in exprefs Words, we do not find a *Determination of the Quant*
ture

tum here of this more excellent Sacrifice; or, how much goes to make a righteous and acceptable Offering? Yet, the unanimous Voice of the *Fathers, and other ancient Writers among Jews and Christians*, as well as *Councils of the Church* have positively asserted this *Portion of God's*, to be a *Tenth Part of all our Increase*: As I shall have occasion to mention hereafter. And 'tis very probable, from the general Practice afterwards throughout the World.

And the *Learned Grotius upon the Place*, declares that the *Tenth was the Portion due to God from the most ancient Ages*. And that the *footsteps thereof, are to be found every where in the Greek and Latin Histories*.

And because *Cain* did not bring so much as That, he shew'd that his Heart was not Right towards God: That he did not *Honour Him with the best, nor with that Proportion*; therefore he was Rejected and became Accursed, which presently wrought upon him to do greater Wickedness, instead of Repenting for what he had done

of Tithe Stealing. 17

done amiss ; and instead of revenging his Folly upon his own Head, out of Envy and Malice, *He murdered his Brother, because his own Works were Evil, and his Brother's Righteous,*
1 John 3. 12.

Now, I say, it was very probable, that from the beginning God signified his Pleasure, that all Mankind should make an *Offering of a Tenth unto him*, as an Homage for his Right to all the Increase that a Man had, and as a sufficient Motive to engage Him to send down a continual Stream of Blessings upon him, without which, he could neither be Prosperous, nor Successful ; nor live with Esteem in the World.

This is the only Cause can be assigned, why the Practice of this Duty should become afterward so universal ; that not only the *Jewish Nation* were enjoined by the *Law of Moses* to do so : But the *Gentile Nations* round about, which were not within the *Covenant of Promise* did the same Thing ; and were altogether as Strict and Cautious, and Exact about the Performance

C

mance of a Duty, which even the Finger of God pointed out unto them, that they ought to do: And that the Omission of it was a very great Sin, from which they could not Excuse themselves without making Satisfaction.

If then, in the beginning, and ever since God laid a claim to an Oblation out of the Increase of every Man's Substance, we have a sufficient Assurance of the indispensable Necessity is incumbent upon us to pay it: If we do expect a Blessing from him, or hope to increase our Store, this is the readiest Course we can take. This is to Honour Him with our Substance, and to pay him a religious Worship and Service with a part of the abundance He has bestowed upon us. It is a Compliance with the Psalmist's Injunction. *Psalm 29. 2. To give the Lord the Honour due unto his Name, to worship the Lord with Holy Worship. Or, with that Part, which is Holy unto the Lord, Lev. 27. 30.*

2. I come Secondly to shew, That
this Custom of paying First fruits
or

of Tithe Stealing. 19

or Tithes, which commonly in the Sacred Books, and in the Jewish Writers, signifie indifferently the same Thing. And by it is meant God's determinate Part, is ancienter than the Law of Moses, and long before the Ceremonial Law was instituted, and consequently it could be no Part of it; nor therefore to cease under the Evangelical Dispensation.

Whenever was the *Original* of this Duty, unless we allow it to be from the Divine Institution, and a particular Command Revealed to *Adam* at first, as I have mentioned above: There is no beginning of it to be found, but the *Practice* of it is to be found long before, there is any express mention made of a Law for it; and therefore we may well suppose it to have been always known.

The first Time that we find, in the Scripture, an express Command for it; or, a Declaration of *its being the Lord's*, is *Exod. 22. 29.* Where it is said, *Thou shalt not delay to offer the first of thy ripe Fruits.* And *Lev.*

27. 30. *And all the Tithe of the Land, whether of the Seed of the Land, or of the Fruit of the Tree is the Lord's; it is Holy unto the Lord.*

Consequent hereunto, it is enjoined as a *Positive Law*, Deut. 14. 22, 23. *The Contents* whereof calls it *Tithes of Divine Service*. *Thou shalt truly Tithe all the Increase of thy Seed, that the Field bringeth forth Year by Year: And thou shalt eat before the Lord thy God — The Tithes of thy Corn, of thy Wine and of thine Oyl, and the Firstlings of thy Herds, and of thy Flocks: That thou mayst learn to fear the Lord thy God always.*

But that the Practice of this Duty is often mentioned before; appears, in that of *Abraham's paying Tithes to Melchizedec*, who was *God's High Priest*. Of *Jacob's vowing a Tenth of all his Goods unto the Lord*. These Two are expressly mentioned in the *Book of Genesis*, which gives but a *short History* of those early Times.

And

of Tithe Stealing. 21

And the *Learned Doctors among the Jews* in their most credible *Traditions* affirm; that the rest of the *Patriarchs* did liberally give their *Tithes* to the *Lord's Priests*. That *Isaac* did so, and therefore he measured the *Fruit of the Land*, that he might be just in that *Matter*. That also *Job*, among other *Holy and Devout Men*, according to the general *Practice*, paid his *Tithes*, and we know he lived before the *Days of Moses*. And the *fifth Precept* of *Noah*, against *Theft and Rapine*, was thought especially to be a good *Security to God's Portion*.

Dr. Comber's History
of Tithes,
Part 1.
Chap. 1.

The First of those inspired *Patriarchs*, that the *Holy Scripture* mentions for paying of *Tithes*, is of *Abraham*, Gen. 14. 19, 20. Where *Abraham* returning from the *Battle against four Kings*, he brought back all their *Goods*, and gave *Tithes of all* to *Melchizedec*, who was the *Priest of the most High God*. And he blessed him, &c.

Which Place *St. Paul* refers to, *Heb. 7.* when he sets forth the *Honour and Dignity of Christ's Priesthood* be-

fore that of Levi. He being a Priest after the Order of Melchizedec, v. 17. Who was a Priest of the most High God. And therefore to bless the People in his Name, and therefore to receive the Tithes for Him. It being here to be noted, That the Priests of the Lord, are the proper Receivers of Tithes and Offerings; or, the First-fruits which are God's Portion, both before the Law, and also under it, as well as since in the Times of the Gospel. It is their Inheritance, as it is called, Numb. 18. 21. Behold, I have given the Children of Levi, all the Tenth in Israel for an Inheritance, for their Service which they serve, even the Service of the Tabernacle of the Congregation.

And yet this Priesthood of Levi was not so great as that of Melchizedec, which was the Type of Christ's Priesthood, from whence the Priests of the Gospel derive their Title, and consequently their Right to God's due.

Dr. Comber's History of Tithes, Page 68. Wherein Abraham (says St. Chrysostom) is a Tutor to all to express much gratitude, and to bring in the First-fruits of what God gives.

Now

Now says the *Apostle*, Heb. 7. 4. In ^{Heb. 7. 4.} his magnifying the Priesthood of Melchizedec, beyond that of Levi. Consider how great this Man was, unto whom even the Patriarch Abraham gave the Tenth of the Spoils.

It seems therefore that Melchizedec was greater than Abraham, and his Priesthood better than the Aaronical, which was to spring from Abraham, out of whose Loins Levi was to come, and who in Abraham paid Tithes.

For which the *Apostle* in the following Verses is very Particular and Express. And verily, they that are of the ^{Verse 5.} Sons of Levi, who receive the Office of the Priesthood, have a Commandment to take Tithes of the People according to the Law, that is of their Brethren, tho' they come out of the Loins of Abraham.

But He whose descent is not counted ^{Verse 6.} from them received Tithes of Abraham, and blessed Him that had the Promises.

Verse 7. *And without all Contradiction the less is blessed of the better.*

Verse 8. *And here Men that die, receive Tithes : But there he receiveth them, of whom it witnessed, that he liveth.*

Verse 9. *And as I may so say, Levi also who receiveth Tithes paid Tithes in Abraham.*

Verse 10. *For he was yet in the Loins of his Father, when Melchizedec met him.*

This is a main Proof of the Payments of Tithes before the Law. And of all the Increase, and of the choicest and best too, because such ought to be picked out for the Offerings to God. As the Greek Words signifie, by which they are expressed.

*Ἀντίπερα ἴσιν
ἑαυτοῦ.
Αὐτοῦ Σίνα.*

And if of all the Increase of the Spoils taken in War, which is the Soldier's Harvest, certainly much more likely of all the Increase out of the Earth, that were possessed by Him. And that (says Dr. Hammond) will be a sufficient Example and Testimony of the

in loc. a.

the Custom in Abraham's Time of paying Tithes to the Priest of all our Increase, of what kind soever it is.

For doubtless, this was not the only Time that *Abraham paid Tithes to Melchizedec*, but that he was wont to do so yearly being his *High Priest*; tho' this be the single Record of his paying Tithe of Spoils upon that extraordinary Occasion for it, when he returned thro' his Country from the Victory that he had obtained; and he so readily came out to meet him, and to rejoice with him, and to refresh him and his Men with *Bread and Wine*. And to receive from him the *Sacrifice of Praise*, or his Offering the Tenth unto God, who gave him the Victory.

Another Instance of this Practice before the Law, and what much confirms the frequency of it at that Time, we have in *Jacob*, (who was *Abraham's Grandson*, bred up according to the religious Customs of that Family, made *Heir of his Blessings*, and being the *Father of the Twelve Patriarchs*, and no doubt but well informed of such Pious Dedications, as were acceptable

ceptable unto God, and at first of *Divine Revelation*) He made a *solemn Vow* of giving to God the Tenth of all that he should give him, Gen. 28. 20, 21, 22. It is mentioned by way of

Verse 20. *Gratitude, If God will be with me, and will keep me in this way which I go, and will give me Bread to eat and Raiment to put on.*

Verse 21. *So that I come again to my Father's House in Peace, then shall the Lord be my God.*

Verse 22. *And this Stone which I have set for a Pillar shall be God's House: And of all that thou shalt give me, I will surely give the Tenth unto Thee.* Unless God had blessed him with Prosperity, he could not pay him that solemn Part of his *Worship*, which he vowed to do: But not doubting of his most gracious Promise just made unto him, ver. 13, 14. He made a solemn Declaration of his Faith, *That the Lord should be his God.* And so being the sole Object of his *Worship*, as a natural Consequent thereof, he knew that *Tithes* were his due, and therefore as a Testimony, that all which he had
came

came from his bountiful Hand, he would by a signal Obligation bind himself to the Performance of that Duty; notwithstanding he was antecedently obliged to it, as following *Abraham's* Example and Piety, by Vertue of that reserved Right, which God had in his, and all Men's Estate.

And that God had reserved such a *Tenth Part*, was well known to him from the *Common Practice*, by which, *He would be honoured*, and with no less; either by *Tradition from his Forefathers*, or by immediate *Revelation from God Himself*: Otherwise, we cannot rationally suppose, that he and all others should so exactly hit upon a *Tenth*, and not *Vow* any other Part, as a *Seventh*, a *Ninth*, a *Twelfth*, or a *Sixteenth*, as well as a *Tenth*, as a necessary Duty.

By both which Instances of those inspired *Patriarchs* expressly mentioned in the *Word of God*, setting aside what the *Rabbies* speak in their *Traditions* of the rest of the *Patriarchs*, performing constantly the same Duty, we have

have a sufficient Assurance, That Tithes were paid before the Law, and as they all thought by *Divine Right*; because God had from the very beginning obliged Mankind to it, as he was the giver of all Things, which they had the Enjoyment of.

Now then, from hence it is evident that it could not be a part of the *Ceremonial Law*, or any other purely belonging to the *Jewish State* to oblige to this Duty, any otherwise than as *those Laws* might enjoin the Observation of other Antecedent Duties; as to *abstain from Murder, from Theft, &c.* So also from *Tithe Stealing*; because it was a necessary Duty to pay *Tithes* before the *Ceremonial Law* was instituted, and consequently it was not to be done away, as the *Ceremonial* was, at the coming of Christ.

Dr. Com-
ber, ch. 2.
p. 17.

Such as were the *Additional Payments*, beyond the Tenth Part due to the Priest and *Levites*, viz. The (*Bicurim*) or *first Ripe Fruits*, an 100th Part, the *Therumah* or Heave-offering, a 50th Part.

The

of Tithe Stealing. 29

The leaving the *Corner of the Field* Lev. 19. 9,
unreaped every Year. The *Tithe* for 10.
Feasts; the Poor Man's Tithe every Deut. 24.
Third Year: And one other mention-
ed, *Numb. 15. 20, 21.*

All which were to be paid, over Dr. Com-
and above the *First-fruits* or *Tenths* ber says,
to the *Priests*, which made the *Jewish* The First-
Payments much more than the *Christi-* fruits were
ans, and sometimes *Three Times* not Tithes,
as much, to be rather a *5th Part* only it suffi-
than a *10th.* But those *Additional Pay-* ces to note
ments being superadded by the *Law*, that both
are abolished with it, while the *Anci-* these sorts
ent Portion of the *Ancient of Days*, or of First-
the *Original Tenth*, is of an *Eternal* fruits were
Obligation; of equal Force with the paid before
Moral Law, and alike binding all the Tithing.
People in all Ages who own God,
who are blessed with an Estate, and
who ought to *Honour Him with their*
Substance, and with the First-fruits of
all their Increase.

Since then it does appear, that there
is an *Honour due to God to be paid out*
of all our Increase: As the *First-fruits*
or Tenths of the best and fairest of its
Kind. And

And since those *Holy Patriarchs* before the Law, *Abraham*, *Jacob* and others, who were inspired by God, practiced the same Duty. It follows plainly, that *Tithes* were not of *Mosaic* Institution, nor were therefore to be abolished with the Law of *Moses*, but ought to be paid by all, who by Faith are the Sons of *Abraham* to the Sons of *Melchizedec*; by all true Christians to the Christian Priesthood, which continues for ever. They were paid from *Adam* to *Moses*, from *Moses* to *Christ*, from the beginning of Christianity they have been and will be paid, until the Consummation of all Things.

During the Dispensation of the Law, there is the highest Evidence imaginable for it, which lasted about 2000 Years, as the Period before the Law did. And after those Two Periods were ended, and the Christian Religion established, which according to the Calculation and Opinion of very *Learned Men*, shall continue the like Period of Years.

And

- “ And then the *Seventh Thousand* Hilar. in 17. Mat.
“ shall bring on the Period of all Justin. Mar- tyr in Dial.
“ Accounts, when the *Everlasting* cum Tryph. & Quæst.
“ Sabbath shall commence, and Time ad Orthod.
“ shall be no more. 71.

During which *Period of the Gospel*, this Duty of *paying Tithes* shall indispensably continue, as being a *Moral Duty*, and so of an *Eternal Obligation*.

3. This brings me to the *Third Particular*, To shew how much the *Christian Religion* does oblige to this *Practice*. Together with the *Advantages of paying of Tithes Carefully and Honestly*, both with respect to this *Life* and the next, as it relates to *Temporal Prosperity and Eternal Happiness*.

From the *Two foregoing Particulars*, we may well be assured of the greatest *Antiquity of this Practice*, both before the *Law* and under it, each *Period* containing about *2000 Years*, which makes a long *Prescription*.

And

And then for its Continuance *under the Gospel*, it being no where abolished, nor any, the least Declaration made that God ever intended to abolish it, but very much that it should continue, is a clear Argument, that it was to continue for ever.

As long as God gives us Increase, He is to be honoured by our returning unto him his Portion; this is natural Justice and Gratitude, which if we refuse to pay to God we justly forfeit his Blessing and Favour, and incur the *Curse* against such notorious Offenders, as have not the fear of God before their Eyes; and therefore do not respect his Holy Name nor his Word, but presume to rob Him of his due.

Dr. Com-
ber.

And our Saviours not repealing the Obligation to this Duty in the *New Testament*; as no doubt, but he would have expressly done, had he designed the Discontinuance of it, after so long a Practice, from God's own Institution; we may very rationally conclude, that He did intend it should remain still obligatory as before. It is

is also very probable, that 'twas his Mind that it should continue, because when He upbraided the *Pharisees* for their Partiality in *Tithing Mint and Rue, and all manner of Herbs, and passing over Judgment, and the Love of God.* He says, *These ought ye to have done, and not leave the other undone ;* Luke 11. 42. Meaning ye ought to do the greater Duties, the more Difficult, and Expensive, as well as the Lesser, and the Easier ; ye ought to pay *Tithes* of the greatest Things, as well as of the least ; wherein they were very Cautious and Exact. Ye ought not to leave this undone ; implies, that it was Duty to do it.

“ In this Matter (says *Origen*) Hom. II. in Numeros.
 “ they were so strict, that they would
 “ not so much as Taste of the Fruit
 “ of the Earth, before they had made
 “ an Oblation thereof to the Priest.

And we know who tells us, *Mat.*
 5. 20. *Except your Righteousness shall exceed the Righteousness of the Scribes and Pharisees, ye shall in no Case enter into the Kingdom of Heaven.* Where-

D in

in the Poor as well as the Rich, if they be Vertuous and Honest are alike capable of being admitted; and by complying with the Payment of God's Proportion out of their *Increase*: They do alike worship Him with their Substance, and do equally Partake of his Safeguard and Protection, Acceptance, and other Divine Privileges.

But how does our *Righteousness exceed theirs*, if we wholly neglect that Duty, which they partly fulfilled? And we should much more abundantly.

Another Instance of our *Saviour's* Approbation of it, is seen in his *Parable of the Pharisee and the Publican*, Luke 18. 12. Where He reckons the *Payment of Tithes of all that we possess*, as an *Act of Worship and Devotion to God*.

Essay of Divine Right of Tithes.

To which we may add, that Argument of the *Apostle's* from the *Melchizedecial Priesthood*, which was a Type of *Christ's*, who receiveth *Tithes*, of whom it is witnessed, That he liveth, Heb. 7. 8. or, in that he was a Priest.

From

From which Places it is more than probable, that our Saviour would have *Tithes accounted of Divine Right* under the Gospel, as they had been all along reputed before.

But we have very *positive Proofs* to shew the Continuance of this Duty to the Gospel Ministry, from what *St. Paul speaks to the Corinthians*, i Ep. 9. After he had laid a Claim to his right to a Maintenance from them, from the Example of a *Soldiers* not going to War upon his own Charges: From a *Vine-dressers eating the Fruit of his Labours*: And from a *Shepherds being fed from the Product of his own Flock*, v. 7. So also from the Testimony the Law gives of it under the command, for not Muzzling the Ox that treadeth out the Corn, v. 8, 9. As if God took more care of the labouring Beasts, than of the Work of his Ministers. He comes to shew what this Maintenance ought to be, even the same which the Law established for the *Levitical Priesthood*; and that we well know was to be had from *Tithes and Offerings*. For certain, no less than a Tenth of all abstracted from the several

Ceremonial Additions that were made to it, as the *Apostle* observes to their own Knowledge, *v. 13, 14.* *Do ye not know that they which Minister about holy Things, live of the things of the Temple? And they which wait at the Altar, are partakers with the Altar? Even so hath the Lord ordained, that they which Preach the Gospel, should live of the Gospel.*

Where the *Apostle*, from a consideration of that ample Provision, which the *Ministers of the Temple* received for their waiting at the Altar, according to the Ordinance of God in the Old Testament; which was a fixt and certain Maintenance, arising out of the Offerings that they were obliged to make; and the Tenth of All, which they were obliged to pay; does shew, that *Christ the Son of God*, imitating his Fathers Example; has ordained that the Gospel Ministers, should likewise have a fixt and certain Maintenance of the same Proportion, and arising from the like means as the others had; namely, from Tithes and Offerings.

And

And these were to be not Arbitrary and Precarious, as Men thought fit themselves, but of a *strict Obligation*; not to come short of them, but rather to exceed, upon the Account of the excellency of this *Ministry*.

For which *the Apostles* Comparison runs very full and high, *even so hath the Lord ordained*.

It must then answer in the Proportion, and Quality, and Certainty of the Revenue, or else, there would be a great Impropriety and inconsequence in the *Apostles* Words, *even so hath the Lord ordained*.

It would not be *even so*, if it came short of the Revenue of the Temple; or, if *the Priests of the Gospel*, had not a *Right to Tithes*, as well as the *Priests of the Temple*.

According to which Sense, *the Primitive Christians* did understand the *Apostles* Words, and did verily believe that it was the Ordinance of Christ, that *Tithes* should be the Maintenance of

His Ministers, as well as they had been of *God's Ministers* before, being always reputed *his Portion*, and *their Lot and Inheritance*. Conformable to which, was their Practice, as soon as there was any settlement of the *Christian Church*, and they were in a capacity to pay them; or the *Apostles* and *their Successors* able to receive them; which at first they were not, while the Church was but in its Infancy, and under Persecution.

However, at that Time as Opportunities served, they were wont to give more than a *Tenth part*; even the greatest part, or *All*, which they had, which did include most certainly *All* which they ought to give.

Thus we read, *Acts* 4. 34, 35. *As many as were Possessors of Lands, or Houses, sold them, and brought the prices of the Things that were sold, and laid them down at the Apostles Feet.* So that a *Tenth* had been a small Proportion, to what the devotion and liberality of the Believers of that Age dedicated to the Worship of God, and the Service of his Church; whereof *Distributions*

tributions were made by the Apostles according to every one's Necessity. And to expect a regular payment of the Tenth of their Increase in such unsettled Times, especially, when the Church of Christ was in a state of Persecution, would have been as unreasonable, as it was unpracticable.

But afterwards, every Christian was very forward to do so, and were very careful not to fail in a duty, which all Christians thought themselves highly obliged to; from those general Directions of the *Apostle* in the places now quoted, and from several others, as *Gal. 6. 6.* To the same effect and importance; saying, *Let him that is Taught in the Word, communicate unto him that teacheth in all good Things.* And *1 Cor. 9. 11.* *If we have sown unto you Spiritual Things; is it a great Thing if we shall reap your carnal Things: And the like.*

The *Primitive Christians* needed no more than those general Directions, to exhort them to a liberal Contribution for the *work of the Ministry*, and the *Maintenance of Religion*; knowing

from the general Practice every where, that the least that they could offer towards those great Ends, was the *Tenth of All*; which being that *Portion* which God always approved of, as He at first directed it should be, made them so to interpret the *Apostles meaning*, as not to apply to their own proper use, all the Goods that God had blessed them with, but to remember that a *Portion* of them God had reserved to Himself: And that *Portion* they were assur'd was to be a *Tenth* at least, according to the Practice of *Jews and Gentiles*: To which, without any Hesitation, they added their Christian Conformity.

Dr. Com-
ber.

- Our Blessed Saviour, tho' he had a *Right to Tithes* by virtue of his Eternal Priesthood, yet he would not Exercise that *Right* while he lived, because He was conformable to the *Law*, which had fixed that *Portion* on the *Tribe of Levi*, to which he did not belong.

Neither would his *Apostle Sr. Paul* so far offend the *Jewish Priesthood*, at that Time, as to lay a claim to the *Tithes* then possess'd by the *Priests and Levites*,

of Tithe Stealing. 41

Levites; it suffic'd to intimate, that by *Christ's Ordinance*, the same Maintenance for the *Priesthood*, was annexed to the *Gospel* which was formerly due to the *Law*.

And this every one understood to be the *Tenth*, which as Christianity prevailed over the *Jewish Church*, they assumed as their proper Right and Due. Infomuch, that the early Practice of this Duty, gave the best Interpretation of it. And the *Ancient Fathers* unanimously almost, give their Testimony thereto.

As 1. *Irenæus*, Polycarp's Schollar, and he of St. *John*, who lived near the Times of the *Apostles*, affirms, That we ought to offer to God the First fruits of his Creatures. Adding, that the Jews, for this cause had their Tents Consecrated; but Christians have dedicated all they have to God's Service cheerfully and freely, not giving that which is less than the Jews, because they have a better Hope.

2. *Origen* says, To Him we offer our First-fruits, to whom we send up our Prayers.

3. St. Cy-

Anno 250.

3. St. Cyprian, *That the Christian Oblations were expected, in his Days to be Tents at least.*

4. St. Gregory Nazianzen, *It is just and pious to Consecrate the First-fruits of the Barn-floor, and the Wine-press to God; because both we and all we have, proceed from Him.*

More particularly and expressly towards the enforcement of this Duty, by the Law of God, are the Fathers which follow them. Such as St. Hilary, St. Ambrose, St. Chrysostom, St. Augustine, &c. who, in their several Ages declare the payment of Tithes to be a *moral Duty*, and consequently of perpetual Obligation, with whom, the *sacred Synods of the Church, and the Decrees of Councils, and the Edicts of the Christian Emperors* do all agree, as particular Places in *Ecclesiastical History* do abundantly Testify, which it would be too tedious to produce within the compass of a Sermon.

And I shall not have time to shew how the *Gentle Nations* concurred in the

the same Opinion, and with great caution paid the *Tenth of All to the Heathen Gods*, even of the Spoils in War, according to the example of *Abraham*; as to *Jupiter*, to *Hercules*, to *Apollo*, to *Juno*, to *Diana*, to *Sabis*, &c. According to the Notion of which they had of the Gods that they Worshiped. As particular Historians mention.

Herodotus,
Harpocretian,
Diod.
Sic. &c.

But if, after all, There be any one so perverse and obstinate, as, either for want of better Information, or through extreme Prejudice, to dissent from the general Opinion, and universal Practice of *Jews* and *Gentiles*, of *Christians* and *Heathens* herein; and for want of a due Consideration, and a greater sense of Piety, oppose those clear Evidences, and among them the *Ordinance of the Blessed Jesus*, for such a right to the *Tenth*; I will briefly shew the *Right* he has to it, from particular *Donations*, which are valid enough, tho' of a far less Obligation.

God may have an absolute Right to the Things that are dedicated to the Service of his Church, and the perpetuity

tuity of Religion, by the *Vows and Donations*, that are made by Man; by which he delivers back again unto God, all his Right and Title to *that Portion* so Dedicated, out of the abundance of those Things which He has freely bestowed upon him.

After which *Donation* there remains no manner of Right in him, to the use of the Things so given, but they remain for ever separate from him, and from thence become the entire Property of him, to whom they are given; as in the case of *Ananias*, Acts 5. 4. *While it remained was it not thine own? And after it was Sold, was it not*
Acts 5. 4. Prov. 20. 5. in thine own Power?

This is also a ground of God's sole Right in *Tithes, and Churches, and Church Lands*; which by free gift being consigned to Divine Worship, cannot be alienated from it, no more than a Man can take away another Man's Right and Property in any Thing whatsoever.

*Snake in
the Grass.
pag. 264.*

“ Now then, the several Kings of
 “ *England*, who have sometimes had
 the

“ the sole Right and Property in all
“ the Lands of *England*, have a new
“ dedicated, by particular Vows, [and
“ of late by the Coronation Oath] as
“ *Jacob* did, *Gen.* 28. 22. all the
“ whole *Tithes of the Lands of Eng-*
“ *land to God*; and signed *Charters*
“ *and Grants* of the same, and tender-
“ ed them upon their Knees at the *Al-*
“ *tar of God*, in Presence, and with
“ the Approbation of the *Lords and E-*
“ *states of the Land*; with heavy Cur-
“ ses and Imprecations upon Them-
“ selves, or any of their *Successors*,
“ who should recal the same, or in-
“ croach in any part upon the *Tithe*
“ *of God*; and upon all who should
“ receive such Grants from them, or
“ assist them in such *Sacrilege*.

The same has been confirmed by several *Acts of Parliament*; and particularly by *Magna Charta* (or the *great Charter of England*) the first Clause whereof gives to *God and the Church* all her whole Rights and Privileges inviolable. Which Rights, these Laws declare, *Tithes* to be above all other possessions.

And

And that great Charter had for its Original the Laws of King Edward, called the *Confessor*; which since the Conquest our Kings and Queens did swear to observe.

Malmsbury de Gestis
Reg. Ang-
lic.

Synefius.

Dr. Comber quotes
Tertullian
for it, p.
181.

Among which, this was one concerning payment of *Tithes*: Those Customs [for paying less than the Tenth] had their rise from the Malice of the Devil. But, we ought to prefer that which is Just, before that which is the Custom. On account of which it was, that the Laws of Edward 6. declaring, *Tithes are due to God*, “made it plain, “that no Custom which defrauds “God of that due in whole or in “part, ought to be allowed. And “therefore the Ecclesiastical Canons “made in those Days did declare, “These Customs ought utterly to be abrogated. For Truth is of that Nature, “that no prescription, no length of “Time, no Eminence of Persons, no “Privilege of Countries can hold against “it. Neither are we stronger than God; to break through his Laws, and the Vows and Oaths of our Kings and Acts of Parliament, with Impunity.

Having

Having *thus shewn how much the Christian Religion does oblige to the payment of Tithes.*

I shall before I conclude this particular, shew the *Advantages of this Practice*, as it tends to Mens Temporal and Eternal Interest. And if Men can be persuaded, that this will promote their *Interest*, which they so eagerly pursue after. It will surely prevent their Frauds and Thievery on this Account, by which they do the greatest Injury to themselves, when they *dishonour God* thereby : It is the Sin of *Sacrilege* they are then guilty of, which is a Sin of so deep a dye, that it will not be forgiven without the sincerity of Repentance and *Restitution*:

So on the other side, it is not God, that is the gainer by the observation of this Duty, but it is those that faithfully perform it; and thereby shew that their Trust and Confidence, and dependance is upon God, *when they honour Him with their Substance*, who shall be the great gainers in the End.

This

This many *Pious devout People* have experimentally found to be true, and that God has *blessed the labour of their Hands*, and the *fruit of their Ground*, much the better for their *Faithfulness* herein.

And, I do not in the least doubt, but *others* would find it their Privilege and Advantage, and great satisfaction to their Minds; if they would also be careful in this Matter, and firmly rely upon God, and believe his Word, and trust in his Providence, by the *regular payment of their Tithes*, which will be an *honouring Him with their Deeds* beyond what they can do *with their Words*.

The Practice of which, he seems to have made the condition of their Prosperity; which very many fail of, for want of trying the Experiment; and who can't find it in their Heart *to be true to God, and honest in their dealings towards his Servants*. Notwithstanding they do believe, tho' they do not consider it, that He sees and knows what they do, or what they neglect
the

of Tithe Stealing. 49

the doing of: And that He will assuredly either punish or reward them, according as they do ill or well; in dealing truly, or defrauding God of his Due.

This we must believe to be a certain Truth, unless we think that He did but delude the World, when He sets them upon the tryal of it, *Mal. 3. 10, 11, 12.*

Bring ye all the Tithes into the Store-house, that there may be meat in mine House, and prove me now herewith saith the Lord of Hosts; if I will not open you, the windows of Heaven, and pour you out a Blessing, that there shall not be room enough to receive it.

And I will rebuke the Devourer for your sakes, and he shall not destroy the Fruits of your ground; neither shall your Vine cast her Fruit, before her Time in the Field saith the Lord of Hosts.

And all Nations shall call you Blessed, for ye shall be a delightsome Land, saith the Lord of Hosts.

E

Where

Where with wonderful Condescension, the Lord does invite Mankind, to try if He will make his Promise good unto them, or be but so good as his Word with them.

Prov. 3.
16, 17.

The like Promise he makes in the Text, *Honour the Lord with thy Substance, and with the First-fruits of all thine Increase; so shall thy Barns be filled with Plenty, and thy Presses burst out with new Vine.*

Hooker,
Eccles. Pol.
l. 5.

And therefore the *Religious Jews* did clearly believe, it should be even so as He had said. They called *Tithes the hedge of Riches*; but they more than Hedges, for they did not only Fence and Preserve what was contained within, *but did procure the Increase of the heap out of which they were taken.* From whence might arise that Proverb among them, *Decima, ut Divas fias; pay Tithes and grow Rich.* Hence the wise Son of Syrac, almost in Solomon's Words, Eccles. 35. 8, 9, 10, 11.

Give

of Tithe Stealing. 51

Give the Lord his Honour with a good Verse 8.
Eye, and diminish not the First-fruits
of thine Hands.

In all thy Gifts shew a chearful Conn- Verse 9.
tenance, and dedicate thy Tithes with
gladness.

Give unto the most High, according Verse 10.
as He hath enriched thee ; and as thou
hast gotten, give with a chearful Eye.

For the Lord recompenceth, and will Verse 11.
give thee seven times as much.

From which places, nothing is more evident, than the great Benefit and Advantage is to be had by the regular paying our *Tithes* ; insomuch that it is to be esteemed rather a Privilege to be admitted to do so, than to be exempted from it. God Himself invites all Men to it, that thereby He may manifest his Blessing towards them, by increasing their Store to a great abundance. And that they may be the more sensible of it, He bids them *prove* Him herein, and see how remarkably He will shower down his

Blessings upon them. How He will be their Defence and Protection, and give them divine Privileges for doing their Duty: And make them the delight of other People, for their Obedience to Him.

'Tis God that advises them not to be distrustful of *his kindness*, nor to shew a grudging Mind, or any *unwillingness* or *covetousness*, when they make their grateful Acknowledgments unto Him, for what they have received from Him: But to be cheerful and free, when they pay Him what He requires as His due; yea, when He invites them to the payment of it for their own sake too, that thereby they may reap the more *abundant Increase*, and be secure of His *Blessing and Favour*.

Hence it was an Observation of St. *Augustine*, *That our Fathers abounded in all Plenty because they gave Tithes*. They did put their trust in His Providence, and He prospered them accordingly. *According to their Faith he did unto them*.

And

And still He will not fail to make good his Promise to us on the same Account. And by a sensible multiplying of our Store, He will bring us to put greater confidence in his Mercy and Goodness, till our *Faith* shall lead us to depend upon Him for *Eternal Blessings*, as well as for *Temporal ones*. And we shall be not only called *Blessed*, for our Prosperity here, and the prospect he will give us of our Future Happiness, *for honouring Him with our Substance*: But we shall be really Blessed at the last, when our *Faith* and *Hope* shall be swallowed up in Fruition.

If then we do really put our trust in God; if we hope for His Blessing and Favours; if we expect to Thrive and Prosper in the World; if we value the welfare of our Church, and the continuance of God's Worship among us: Yea, I will add what is much concerned herein; if we seek the Peace of a good Conscience here, and the happiness of our Immortal Souls hereafter, we must not be wanting in this duty of *honouring the Lord*

with our Substance, and with the First-fruits of all our Increase, which we have all the assurance from God's Word does very highly contribute towards those great and glorious Ends; and which will secure us from the dreadful Curse, attending the Violation of it.

4. This brings me briefly to consider the *Malediction or Curse, which does attend the Non-performance of this Duty, or the Violation of it, in the impious, odious, and damnable Sin of Tithe-Stealing, which was the 4th. Particular.*

Whatever is Dedicated, Consecrated, or set apart for God's Worship and Service, as *Tithes and Offerings* are in a peculiar manner, cannot be encroached upon, subtracted, or defecrated, if you will; without incurring the guilt of *Sacrilege*, and the *Curse of God*. This does run counter to the Blessings, and Advantages of the regular paying of them.

The *one* brings Honour to God, and derives a Blessing upon the well-meaning

ing *Christian*; the *other* does dishonour Him, is a kind of denying of Him, and procures a *Curse* upon the *Hypocrite*, who pretends to *Worship Him*; but does really defraud and rob Him of that *Worship* which is due unto Him.

This is no small Robbery, but by all *Casuits* is accounted the excess of Thievery, and in an high degree *Damnable*; because it is a *stealing from God*, that Portion which by the Law of God and Man, is allotted for the *Maintenance of the Ministry*, and the support of Religion, and therefore must by no means be kept back, nor any tricks or shifts used to avoid the payment, either in whole or in part. And for the truth of this, we have the Testimony of *God's Word*, Mal. 3. 8. where the *Prophet* supposes a Man must come to a daring height of Impiety, before He be guilty of it: When he asks this Question, *will a Man rob God?* But then he taxes some *covetous Jews* with it, *yet ye have robbed me*. But, they as unconcerned, and ignorant of the Matter, reply, *wherein have we robbed thee?* To which He answers, *in Tithes*

H. Duty of
Man.

E 4 and

and Offerings. And therefore He adds, *v. 9. Ye are cursed with a Curse, for ye have robed me, even this whole Nation.* So universal was their Transgression, that they were all *guilty*, and therefore all lay under *the Curse*.

“ Here it is most plain (says the incomparable Author of the *whole Duty of Man*) “ that in God’s account, “ the with-holding Tithes, is a robing “ of Him; and a *Curse* is all that is “ gotten by it. Then He adds, what damage or punishment attends this *Curse*, how much Men are loofers by it. “ Common experience shows us, “ that God’s Vengeance doth in a remarkable manner pursue this Sin of “ *Sacrilege*; whether it be that of “ with-holding Tithes, or the other of “ siezing on these Possessions, which “ have been voluntarily consecrated “ to God. Men think to enrich “ themselves by it, but it usually “ proves directly contrary. This unlawful gain becomes such a Canker “ in the Estate, as often eats out even “ that which they had a just Title to. And therefore he concludes with this Admonition; if ye love “ (says He)

“ I

of Tithe Stealing. 57

“ I will not say your *Souls*, but your
“ *Estates*; preserve them from that
“ danger, by a strict care, never to
“ meddle with any Thing set apart
“ for the Lord.

“ And for the proof of this (says Dr. Good-
another *Learned Author*, to the same man's old
effect) we need no more than to ob- Rel.
serve, “ the common Success of such
“ Men as purloyn from the Church:
“ They are generally a querulous,
“ uneasy, lean, hungry, and un-
“ thirsty sort of People; *God Almight*
“ *ty* blowing upon, and blasting their
“ other Labours, for the sake of this
“ *accursed Thing in their Tents*: Or,
“ if any of them thrive for the pre-
“ sent, yet, one time or other, *a coal*
“ *from the Altar* will take hold of,
“ and fire their Nests.

“ Commonly they are Men (says Ecc. Pol.
the *Judicious Mr. Hooker*, speaking l. 5.
of *those* that with skill devour the
Church, while they seem to befriend
Her: Or, of *others*, who think to re-
pair their decayed *Estates* by the
spoils of it) “ commonly they are
“ Men born under that Constellation,
“ which

“ which maketh them I know not
 “ how, as unapt to enrich themselves,
 “ as they are ready to impoverish o-
 “ thers. It is their lot to sustain du-
 “ ring Life, both the misery of Beg-
 “ gars, and the infamy of Robbers.

“ But tho’ no other plague or re-
 “ venge should follow *sacrilegious Vio-*
 “ *lations of Holy Things*, the natural
 “ secret disgrace and ignominy, the
 “ very turpitude of such Actions, in
 “ the Eye of a wise understanding
 “ Heart, is it self an heavy punish-
 “ ment.

It is another part of this *Curse*, that
 the guilty Persons are so far deluded
 by the grand Enemy of Religion, that
 they are not sensible of their Errors,
 or else they would never be deliberate-
 ly guilty of it; *for will a Man rob*
God, that regards his *Omniscieny*?
 Will he *steal from Him*, who will be
 his *Judge*, and has an *Omnipotent*
Arm to punish Him? None in his
 right wits would do so, if he consi-
 ders of it; nor the most profligate,
 who has little or no sense of Religi-
 on, if he considers that he shall be
 no

no gainer by it; but rather be the worse, and in the more wasting, languishing Condition; as those *great Authorities* above-mentioned, and experience do abundantly testify.

Even the great and wealthy are pursued by this *Curse*, as well as the meaner sort of *Church robbers*, and *Tithe-Stealers*. A notorious Instance of which, we have in King *Henry VIII.* and the ill fate of those that assisted Him in his sacrilegious Invasions of the Churches Right and Patrimony. *He himself* became much the poorer for it; and *the whole Kingdom*, tho' unwillingly brought to consent to it in *Parliament*, for advantagious ends that were proposed and agreed upon, were in a worse Condition than before; and none of those Projects took effect.

S. Hen. Spelman's Hist. of Sa- crilege, chap. 6. p. 176.

All that incredible Mass of Wealth which came into *his Coffers*, by the *Alienations of Church Lands*; by making *Tithes impropriate*, and the robing of some Thousands of *Churches* of their Treasure, in a short Time was unaccountably squandred away, and con-

consumed and came to nothing ; and not one promise to his People was made good for the publick Benefit. *Contrary to which, the People were burthened with more Taxes, Subsidies, and Loans, than ever in former Times.*

And though thereby a prodigious addition was made to the *Riches of the Crown*, yet, with the consumption of this *sacrilegious Wealth*, the antient *Crown Lands* were also carried away ; which, from being formerly enough for the support of the Dignity of it, were reduced lower than some *Noble-men's Estates*, and since that time, to a small Matter.

“ Then for the sad and fatal Ends
 “ of those that were concerned in it.
 “ 1. *Clement 7th.* gave leave for it ;
 “ and he became very unfortunate afterwards ; the City of *Rome* was
 “ twice taken and sacked in his Reign ;
 “ he himself was made Prisoner, and
 “ dyed a miserable Death.

“ 2. *Cardinal Woolsey*, who obtained leave to demolish forty Religious
 “ ous

of Tithe Stealing. 61

“ ous Houses, incurred a *Premunire*,
“ forfeited his *Honour*, and Estate,
“ and Life, and 'twas thought poy-
“ soned *Himself*.

“ And 3. those five Men that were
“ imployed by him in the *Sacrilege*,
“ were thus disposed of; two of
“ them quarrelled, one was killed,
“ and the other hanged: One drow-
“ ned himself; the fourth though
“ Rich, came to beggary; and the
“ fifth was miserably stab'd to Death.

A sad Catastrophe of so many *sa-
crilegious Persons*. Three of which
were of the greatest note, and yet
suffered for their Guilt, as the lesser;
by very remarkable Judgments, suffi-
cient to terrifie *others*, from putting
their Hands towards the pulling
down, or lessening the Churches *Pa-
trimony*.

To these Instances, I shall only
add the observation of *St. Augustine*,
who was Bishop of Hippon in Africa; ^{Hippon.}
For the Time will fail me to speak so
largely on this Subject, as I may have
Occasion for, at another Time.

‘ That

*Essay of the
Divine
Right
to Tithes.
p. 170.*

‘ That *Pious Bishop*, had often admonished his People of their neglect of *paying their Tithes*, and laid a particular stress upon it, as a main cause of the Miseries that had overtaken them; especially of their Poverty, occasioned by the heavy Taxes, which were extorted from them, to carry on that War in which they were engaged. And he observes to them, that God by this, was exacting double from them, for those *Tithes* which they had neglected to pay to Him.

Aug. Sermon, 219.

And concludes by saying, *We would not share with God in giving Him the Tenth; and now behold the whole is taken from us. — If thou givest not the Tenth, thou wilt give that to an impious Soldier, which thou wouldst not give to God and his Priest. The Exchequer has swallowed that, which we refused to give to Christ.*

This was *their Case* then, and I pray God it may never be ours; that for not being careful to pay a *Tenth of All* where it is due, we be not by degrees

of Tithe Stealing. 63

degrees brought to that pass, as not to have a *Tenth* of what we had left us. God will not always have *Patience* with us, though his *long suffering Goodness*, tries if we will repent, for coming short in that part of *his Worship*, which the *Scribes and Pharisees* came up to, beyond us.

It is certainly the safest way to keep entirely off from a *Transgression*, so dangerous and destructive, and not to *rob God of his Honour*; either designedly, by shuffling Tricks; or indirectly, by secret Evasions, and joyning with others that do so; or, upon any Account whatsoever: For, *He is a Jealous God*, and will not suffer the *Enemies of his due*, to prevail over him, though *He bears long with them*.

Such *covetous People* God abhorreth, Psalm 10. 3. And in the sight of Men, surely *He that robs God in the Field*, is a greater Criminal, than he that *robs Man upon the Highway*; though for Politick Ends, the latter sometimes suffers greater Punishments; as he that violates the *commandments of the second*

second Table, is more severely punished, than he that breaks *the first*; tho' no Body doubts, *but Offences against God*, are greater than *those against our Neighbour*.

In like manner, *Tithe Stealers* should be more odious, as they are more scandalous and wicked than *Sheep-stealers*: Of which latter, are commonly none but the baser sort, of the least Reputation, and the lowest Character: *But the former*, though of a worse denomination, may for a while carry their Heads a little higher, and impudently out-brave the Crime, as the most desperate Sinners are wont to do, because of their superlative Wickedness, being not able, or ashamed to make satisfaction for the Injuries they do, and therefore do endeavour to stifle their Consciences, lest the Terrors of them should run them into desperation.

Yet, *the Time may come*, when God will take the Matter of complaint into his own Hands; when *the right of his Church* is so nearly con-

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concerned; *and visit such a Nation,*
[such a Town, such a Parish] *as*
this, and then shall we not be able to
withstand his *Judgments*, when we
cannot justify our selves on this Ac-
count.

The *Author of the Practice of Pie-* Edition 14.
Printed
1623. p.
432.
Anno.
1598. and
1612.
ty, has already noted us out, for
having been several Times the mark
of his *Judgment*; for the *Profanation*
of his *Sabbath*, and for the Contempt
of his Service.

And shall we not fear his Judge-
ment for our Sacrilege, in with-
holding or subtracting his reserved
Portion, and thereby denying the
Honour that is due unto Him; espe-
cially since we enter into confedera-
cies and combinations to do so. Sure-
ly he has reserved the *Tenth part of*
our Increase to himself, as well as
the *Seventh part of our Time*. And
He may severely scourge us for our
defrauding, or robbing Him of either.

If He does not, we shall escape
better than our *Fore-fathers*, though
F we

we are not better than they ; but we must speedily repent, and make *Restitution and Satisfaction* for the Injuries we have hereby done to *God and Man*, least a worse Thing befall us. For, should we persist in our *Sacrilegious Wickedness*, and not take warning by others Example, we shall not escape from bringing Confusion and Destruction upon our selves and Posterity.

I will not say of such workers of *Iniquity*, let them steal on, and let their Theft be their greatest Punishment ; let them be left to the lash of their own guilty Consciences. A greater evil I am sure I cannot wish them.

But I would much rather, endeavour to prevent their Sin, that they may escape the dreadful Punishment due to it. I would endeavour to keep them from transgressing after such an heinous Manner, and pray yet against their *Wickedness*, and that God may be Merciful unto them ; tho' the Psalmist gives no encouragement
to

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to do so, *for them that offend of Psal 59. 5.*
malicious Wickedness. But our Saviour does, and I beseech God to bring them to Repentance, to a sense of their Sin, and to make a Restitution for it: That they may be forgiven, before *the Measure of their Iniquities be full*, when there will be no place for Repentance, nor any Sacrifice for Sin.

5. I come in the last Place, to add some few Observations upon the whole, and so conclude.

1. Then, since it is very evident, that the *honouring of the Lord with our Substance, and with the First-fruits of all our Increase.*

Or, the giving to God the Tenth of All, is an indispensable Moral Duty; a part of God's Worship, and in all Ages and Countries, concluded to be God's Divine Right. It will be impious to come short of this Payment. It will argue a Contempt of God, and a neglect of his Worship and Service to do so; and make the guilty Per-

sons liable to a *Curse*, which we have seen, is attended with a long train of Miseries and Misfortunes : Attended with *Poverty*, and want of God's Blessing and Protection.

It will provoke God to withdraw from them, and to let them loose to the *fury of evil Spirits*, to act greater Mischief, like themselves. As it was the case of *Cain*, Gen. 4. who was the *first Man* that did not *Worship God aright*; with the true Offering of his *First-fruits*, or, with *the Tenth part of his Increase* : So he became the *first Murderer*, and had the impudence to out-brave God with a Lie, and a surly Answer, by denying it afterwards; for which Reason he had forever the *mark of a Villain upon him*.

It also from hence follows, that since *Tithes* are an *indispensable Right of God's own Institution*, and not abolished by Him; there can be no Law or Custom to the payment of less than the Tenth, but must be *Sacrilegious*,

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crilegious, and will ensnare Men to devour that which is Holy, and will Prov. 20. bring them within the danger of coming short of their Duty, as Cain did; and deceive them with the thoughts of *needing no Repentance*, for that guilt which they are involved in; by the continuance of so unjust a Law, and so vile a Custom.

But what *Power on Earth*, can frustrate God's first Designation of a Tenth, and without His own consent, take away from Him, what He has reserved wholly to Himself?

This, some *Sacrilegious Popes*, out of a pretence of the *plenitude of their Power*, have presumed to do; but 'tis what *Pious Antiquity* never approved of; And it deserves the serious Consideration of every one, who has a tender regard to the Welfare of his Soul, and his Estate to; lest either be attended with a *Curse*:

2. It is to be observed, that the *receivers of God's due*, are the *Priests of the Gospel*, as heretofore they were the *Priests under the Law*, who received them.

It is annexed to the *Priesthood*, to which, *since the Law*, our Saviour hath an *unchangeable Right*, Heb. 7. 24. He is *consecrated for evermore*, v. the last, Consecrated to all the *Offices of the Priesthood*, among which, the *receiving Tithes* is one part, and co-equal with it.

For ever since there were *Priests*, there was the payment of *Tithe*, for the support of *them*, and of *God's Worship*; which will in a great measure fail, when that does.

However, they have only the use of them; the *Right and Property*, or *Fee* of consecrated Things, remains only in God, therefore they cannot be forfeited like other Estates, by the Offence of the *Priest*; nor alienated by other Men, *without robbing of God*, Mat. 3. 8. Hence

Hence Philo-Judæus observes, That the People were commanded to bring their Offerings first to the Temple, that the Priests might not be upbraided, or *Dut. 26.2,* blush to take their Provision thence, *as 3. 4.* not coming from the courtesie of Men, but from the Bounty of the Lord of all.

Hence, then it follows, that Laymen as such, and Impropriators, are not the proper receivers of Tithes and Offerings, having no more commission so to do from God, than they have to exercise any other Office of the Priesthood.

And I think, whatever others do, that the generality of the Clergy, have nothing more to Answer for, than for their great neglect in this Matter, and thereby suffering too great encroachments upon the Church of God, through the rapacious Covetousness of those Enemies to it, who have too little sense of Honesty and Religion.

3. Since the *honouring God* with his part of *our Substance*, does of Right indispensably belong unto Him, and cannot be alienated, or abrogated without His consent; which we do not find He has any where done. It is therefore every one's Duty to defend this Right, at least not to contribute to the *defrauding God* of it. It is the *Magistrate's Duty* more especially, who is invested with *his Authority*, as being the *Minister of God*: To see that the *Things of God*, be rendered unto God, as well as the *Things that are Cæsars*, unto Cæsar.

Rom. 13.
14.

Mat. 22.
21.

And as long as we have the Protection of the *Laws*, the *Honour of God*, and the Reputation of Religion, must find a respect from them; which they will not have, if they shall suffer his Right to be withheld, and that *Worship* of His to be denied.

These Practices are inconsistent with Religious Performances. And whatever

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ever Men's pretences are, if they are abortors of such ungodly Deeds, they may lay what claim they will to Religion, but by wise and understanding Men, they will never be thought to have a true Sense of it.

But we need not go far for an instance of those, that have born that Character, who have contributed, and subscribed thereto, and have put their Sacrilegious Hands to defraud *the Church of God's Portion*; which neither a *well-meaning Jew*, nor an *honest Christian*, nor a *moral Heathen*, would be guilty of.

Nothing can plead an excuse for so monstrous a Fact, but *downright Ignorance, Imposition, or Atheism*; neither of which, are a very commendable Excuse; especially *the Last*, which generally is the most predominant in such a Case. A spice of which, is in every Sin, Men voluntarily commit, but here 'tis the prevailing Ingredient.

Thus

Thus, instead of Vertuous Friendship, Men make Leagues in Sin, and are never more closely united, than when for fear of shame and a discovery, they cannot be separated.

Heads of
Examina-
tion H. D.
pag. 452.

This is to be sincerely repented of; as also, the not seeking to bring those to Repentance, whom we have led into Sin; and the not weighing the lawfulness of our Actions, before we venture upon them.

4. It is to be observed, that in the Primitive Times, there were no Temporal Laws made to punish the Omission, or neglect of this Duty, because there was no occasion for it. Peoples Devotions then were free from Falshood and Hypocrisie. They generally exceeded, by offering more unto God, than He commanded, because they would be sure never to come short of what they ought to offer; or be so niggardly, as barely to offer a Tenth, when they expected his Blessing, and a more abun-

abundant Increase of what they had.

But in after Ages, upon the decay of Christian Piety and Devotion, and the neglect of this Duty, Laws were made to enforce it upon the severest Penalties. These Laws are still in force, as well as the Laws of God, which are never out of date.

Notwithstanding the Sanctions of these, there are not wanting Men, who with all the Artifice and Cunning imaginable, endeavour to elude the force of these Laws of God and Man, and do what they can to pervert Justice and Judgment, by bribery and Corruption, and false Witness, and other unwarrantable Means; that they may the more plausibly carry on their fraud, and Sacrilegious Oppression.

But in the mean while, what is become of the sense of *Honesty and Religion*? Of the *Honour* due to God? Of *Reverence* to his Priests?
Of

Of *Charity* to one another? And the hopes of *Truth* and *Peace*, and the *Testimony* of a good *Conscience*?

Why none of these can have any regard with *those Men*, or be found among them. Yea, notwithstanding all the *Advantages* of *Education*, of the *Gospel*, of the *Creed*, and the *Commandments*, and the *Doctrine* of the *Sacraments*; *Profaneness* and *Immorality* take place in their *Practice*, and seek to baffle the *Precepts* of *Religion*, and put good *Manners* out of *Countenance*.

5. and Lastly, I shall observe with the *Apostle*, 1 Cor. 9. 11. If we in the Name of God, sow unto you *Spiritual Things*, is it a great Thing, if we shall, in the same Name, reap your *Carnal* (or *Worldly*) *Things*? Or, rather such Things as are not your own, but what are God's due, and Dedicated to an Holy Use.

'Tis not *we* that Minister in our own Name, but in the Name of the

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the great God and Father of us All, and of his Son Jesus Christ, who is God Blessed for ever. Who has appointed us to watch for your Souls: Who has regularly sent us to preach the glad Tidings of Salvation to all People: To Administer the Holy Sacraments of the New Testament. To be his Ambassadors, and Residentiaries here on Earth: To go in and out before his People, and to feed them with the Bread of Life. To whom he has given his Portion, but, as Usufructuaries and Stewards to be accountable unto Him for the same.

Certainly, He never intended *such*, as are dignified with those *high Characters*, should be brought down to the same level with the common People, and to live on their *Eleemosynary stipends*: Whatever some Mens Thoughts, and other less, considerate Mens Speeches are, about this Matter; who have no good Will to our Sion, and seem to have but little Reverence to God and his Church, and but a mean Opini-
on

on of another World, or else they would never so much despise, or neglect the means that should bring them to the Happiness of it.

To Conclude,

Let not *Atheism* and *Profaneness*; let not *Herésie* and *Schism*; Sacrilege and Sedition; Bribery and Corruption; Perjury and false Witness, or any Combinations of wicked Men, hope to prevail against *God's Church*; to exterminate His Worship; to rob Him of its Revenue, or even to discourage his Servants from standing up in its Vindication. Considering how in due Time, the *mighty God* will arise in his own Strength, to punish the *Evil doings* of his Enemies; and to reward the Courage, the Piety, and Zeal of such, as will resolutely stick to *Honesty* and *Truth*, and the Maintenance of His *Divine Worship and Service*.

And God grant, that *none* may persist in his Wickedness, or Errors;

rors; but that *every one* may return unto Him by an hearty Repentance, and not refuse to *make Satisfaction* for the Injuries he has done in times past; and by a careful Amendment for the future, obtain Mercy and Forgiveness, of the God of Mercy.

Now to God the Father, &c. be Honour, Amen.

F I N I S.

1000. But that every one may return
 unto him by an hearty Repentance,
 and not refuse to receive Satisfaction
 for the injuries he has done in this
 part; and by a careful Amendment
 for the future; obtain Mercy and
 Forgiveness of the God of Mercy.



FINIS

T H E
APPENDIX
 T O T H E
Impiety of Tithe Stealing.

BY way of an Appendix, I think fit to give the Reader an Account of the Occasion of my first *Preaching*, *October 13. 1706.* and now *Publishing the foregoing Discourse.* It was in *Michaelmas-Term, in the Third Year of this Queen*, that I was obliged in Defence of the Church's Right to *Tithes of Mills*, which they positively deny'd to Pay, to Commence a Suit in the Court of *Exchequer* against the *Tenants** of the Corporation of *Tiverton*, for the Tithes of a new erected *Malt-Mill* (about Six Years before) within my *Rectory*; and having made a Composition for the Tithes of the same with the *Principal Tenant*, and shortly after that the only Tenant of the Mill, and that at the *Mayor's House*, and before him too. Notwithstanding such Composition, when it came to be Paid, he Disowned it, and afterwards resolving to make a Suit of it, he denied it upon Oath in Answer to my Bill of Complaint, and several other Matters, which

* Roger Chamberline and Francis Plympton.

he knew to be true, and I Charge it home upon him that he did actually know them to be true, and which were notoriously known there to be so by many other People.

* *J. C.*

But I have a great Reason to believe that he broke through that Oath, through the Instigation and Management of a Cunning * Neighbour, and no Friend to the *Church*, now gone to his proper place; that he might at the Charge of the *Corporation*, who almost unanimously were tricked into an Agreement with the *Defendant* to maintain a Suit at Law with me, and be a gainer by it, at least no looser, tho' the Tryal should goe against *Him*, as he had the Confidence to own to me himself. To whom the want of Reputation is made up with the want of Shame.

But having the Opinions of *Two Eminent Lawyers* in the Court of *Exchequer*, that the *Law* was clearly on my Side, I proceeded to *Tryal*; and upon a full Hearing before all the *Barons*, *Feb. 20. 1705.* obtained their decretal Order for the *Tiibe*.

† *Serjeant*
Iratt.

But they resolving not to be satisfied moved for another Hearing, on pretence that *one of their chief Council* † could not attend, and desired to be heard in that Cause at another Time, tho' he knew nothing of that Motion, and took it as an Affront, as really it was, that his Name should be mentioned on that Account, without his Knowledge. But my Lord *Chief Baron*, out of Respect to that *Eminent*

nent Lawyer, supposing he had something Extraordinary to say in that Cause, admitted of another Hearing, supposing it his desire, as 'twas Suggested; then he told them, he must not now Appear as resenting their Affront, neither did he; So the Cause came on again and was finally Heard and Decreed, *April, 22d. 1706.* The whole Court upon Solemn Argument, being unanimously of *Opinion*, that *Tithes* were due for this new *Erected Mill*, and that such Tithes was the *Tenth Toll-Dish*; and Decreed the *Defendants* to accompt with the *Complainant* accordingly, and to give him full Cost.

But my *Adversaries* taking the Disadvantageous Time to the Church's Intérest, were resolved not to Acquiesce in that Determination according to the Law, but to be as Oppressive as they were Unjust.

And having a publick Combination to defray their own Charges, they put me to as much Expence as they could, concluding a single Person would not be able to withstand a Multitude. *I think*, says one of them, *We shall find Money enough to go to Law with the Parson! I will spend 500 l.* says another rather than *be basled in this thing!* And 'tis much, says a Third, *If Ten of us can't raise 200 l. to try the Matter before the Lords?*

This was Base and Scandalous? Without regard to Justice or Christianity! And yet these Men, because they come to Church,

will account themselves *Church-men*! Well, they were resolved to make a down right *Sacheverel's Cause* of it. And as the *Doctor's Adversaries* afterwards, equally against Law, at least having no Law to justify them, made their *Appeal* to the *House of Peers*, so did mine. And to favor the *Party*, they had many *Whig Solicitors*, *Members of the then House of Commons*; But blessed be the good Providence of God towards the *Church and State*, are all out of *This*, who where indefatigably Busy and Tricking before they got that *Decree* Reversed and returned back again to the Court of *Exchequer*, with this alteration, that instead of the *Tenth Toll-Dish*, as a *Predial Tithe*, which the *Barons* Decreed, who may be presumed best to understand the Law in that behalf, having met with no alteration since the Statute *Artic. Cleri. Edm. 3. C. 5.* They should give the *Tenth* of the clear Profits as a *Personal Tithe*, all incident Charges deducted.

This Determination the *Barons* cannot reconcile with the Laws of the Land, for it is their Opinions, “ 1. That Tithes are Due, “ both by the Canon and Statute Law for “ new erected Mills: Tithes are by the Canon “ Due for all Mills, and by the Statute of “ *Articuli Cleri*, C. 5. for new erected Mills; “ which expressly provides that no Prohibition shall lie in such Case. 2^{dly}. That “ there have from time to time been several Resolutions and Decrees for Tithes of “ Mills. 3^{dly}. It is a *Predial Tithe* and the “ Tenth

“ Tenth Toll-Dish payable for the same;
“ And so is both the Canon and Custom and
“ Usage in this Kingdom. 4thly, That the
“ rest of the Mills within the *Complainant's*
“ *Rectories or Portions*, have all along paid
“ and still do pay Tithe; Or a Composition
“ for the same: And every *Modus* for a
“ *Mill*, proves Tithes to be Due, if they
“ were not discharged by that *Modus*.

And my *Lord Chief Baron's Opinion* is
so very clear and express, that I presume
nothing can be rationally objected against
it, viz. “ As to New Mills the Statute
“ *Articuli Cleri* has determined this Point,
“ for thereby the Jurisdiction of the Eccle-
“ siastical Court is Established. And that
“ Court proceeds according to the *Canon*,
“ by which *Tithes* are payable for *Mills*,
“ and the Tithe is to be paid by the *Canon*,
“ as a *Predial Tithe*, without any Deducti-
“ on of *Expences*, and the *Proventus Mo-*
“ *lendini* is said to be *Decima Mensura*.
“ And now by this Statute, the *Common*
“ *Law* is not to be Impeached, nor any
“ Prohibition to be granted. So that their
“ *Law* prevailing in this Case is become the
“ *Law of the Land*, and Relief must be
“ given in this Court upon that Foundation.

However the *Decree* being altered above,
it was returned back again into the *Exche-*
quer, and ordered that the said Court do
cause the Account to be taken, and what
shall be found due thereon paid accord-
ingly.

Upon this a new *Commission* was granted out of the *Exchequer*, to Examine Witnesses to the clear Value.

Which my *Adversaries* liked very well, having a Brigade of Witnesses in the Country who would depose any thing they should be set upon. And the Truth is, there are such Numbers of *Affidavit Traders* in all parts of the Kingdom, that are the Nuisance of the Law, and the Insufferable grievance of the Land, that unless timely redressed will be the Ruin of most Estates, as they are the Oppression of them already by carrying on the Devils Work against them.

Upon the taking of *Depositions* then on *Interrogatories*, concerning the clear Profits of the *Mill*, they almost unanimously deposed them not to be worth more than 10 *l. per Annum*, which some of them most certainly knew to be worth above 100 *l. per Annum*, (And so an Honest Man deposed he was ready to give for them) And might safely depose they were worth 150 *l. per Annum*, *De claro*, *all Incident Charges deducted*. Others Deposed, to the same Effect but knew nothing of the matter, but as they were Brib'd and Instructed. And because I would not make this severe Reflection, but upon very good Grounds, and the very Confession of the Parties themselves, I will here briefly give the Reader a Specimen of Two or Three *Depositions* instead of several others, in the very Words as they

they stand upon *Record*, if he pleases to Excuse the mentioning such Infamous Names.

Thomas Marshal of Tiverton, &c. "To the 2d. Interrogatory (concerning the Value) saith that he doth very well know the Mill-house and Out-houses, and Malt-Mill or Engine in this Interrogatory mentioned, and saith that the same was Erected (as this Deponent verily believes) by the Corporation of Tiverton in the County of Devon, about Six Years since, or upwards; And farther saith that the same in this Deponents Judgment is of the Yearly Value of 15 *l.* or thereabouts, and no more beyond all outgoings for the same. Of which Yearly Sum of 15 *l.* This Deponent reckons the Mill in the Yearly value of 10 *l.* and the said Mill-House and Out-Houses in the Yearly value of 5 *l.* or thereabouts, and no more.

This Marshall lives in the Mill-House, *Note.* sometimes looks after the Grinding there, and keeps an Account of it; and to his certain knowledge, must know that there are ordinarily Grinded there Weekly about 500, 600, or 700 Bushels of Malt, and sometimes more, at 2 *d.* a Bushel, which amounts to 5 *l.* or 6 *l.* a Week, and the Charges of every thing being deducted, he cannot but know the clear Yearly Value to be more than 150 *l.*

"*William Clapp of Tiverton, Loader, &c.* to the 3d. Interrogatory. This Deponent saith that he very well knows the

“ Mill-House and Out-Houses, and Malt-
 “ Mill in this Interrogatory mentioned,
 “ and that the same were Erected by the
 “ Corporation of *Tiverton*, about Six Years
 “ since, and that the said Mill-House and
 “ Out-Houses and Mill, are in this Depo-
 “ nents Judgment of the Yearly Value of
 “ 12 *l.* or thereabouts, and no more be-
 “ yond all outgoings. Whereof this De-
 “ ponent reckons the said Mill to be of the
 “ Yearly Value of 10 *l.* or thereabouts, and
 “ no more, besides all outgoings, and the
 “ said Mill-House and Out-Houses to be of
 “ the Yearly Value of 30 *s.* or thereabouts,
 “ and no more, beyond the outgoings.

Thus it stands in the *Depositions*; And
 setting by his Ignorance or Blunder upon
 Oath, by making 10 *l.* and 30 *s.* to be
 12 *l.* *per Annum*.

Note.

I Note, that this is the constant Loader
 to the *Mill*, and he more perfectly knows
 than *Marshall*, that they ordinarily Grind
 there 100. Bushels a Day, one Day with
 another; Nay, both of these *Deponents*
 have said that a 100 Bushels a Day is no
 Days Work with them, but sometimes they
 Grind a great deal more, to their certain
 knowledge, even near to a 1000 Bushels a
 Week, as *Mr. Pympton*, one of the *Defen-*
dants himself has confess'd. And then let
 any one judge at 2 *d.* a Bushel, what that
 must one time with another amount unto in
 a Year; surely he cannot reckon less than
 150 *l.* *de claro*, if not much more.

The

The Former of these Two Deponents seems to be so far hardened, that I don't hear he does Relent for his Wickedness, which the *Later*, I am inform'd does, and was like to be turned out of the *Independant Meeting* to which he belongs, as unfit for any *Christian Society*; and it is to be hoped that both of them will learn hereafter, *not to bear false Witness against their Neighbour.*

The most notorious of all, I mention last, for I will trouble the *Reader* with no more at present, is "*George Hukely, alias Seller, of Tiverton in the County of Devon, Cordwainer, Aged 52 Years, or thereabouts.* To the Second Interrogatory, "*this Deponent* faith, that he very well "*knows the Mill-House and Out-Houses* "*and Malt-Mills in this Interrogatory* "*mentioned, and faith that the same were* "*Built about Six Years since by the Corpo-* "*ration of Tiverton, as this Deponent be-* "*lieves, and faith that the same Mill-* "*House, Out-Houses and Mill, are in this* "*Deponent's Judgment of the Yearly Value* "*of 10*l.* or thereabouts, and no more,* "*beyond all outgoings; and that he would* "*not give any more Yearly for the same.* "*And more to this Interrogatory, this* "*Deponent cannot materially depose.*

This is a Poor, Silly, Ignorant Fellow, *Note.* and knew nothing of the Matter, as both himself and Wife confessed to me, and desired I would not be Angry with *Him*, for Swearing as he did, he was very Sorry for it,

it, and God knows (says he) I knew nothing of it, but Mr. Ch-ne, meaning the Defendant, would make me Swear it; I am a Poor Man, and I could not help it, if you'll believe me. And another thing I am inform'd you were told, that I had Seven Half-Crowns for Swearing. Sure Master, If you'll believe me, I had but One Half-Crown in all, God knows.

But to shew that this Silly Fellow is not quite so bad as he that set him on that Wicked Work; He thought to make some Amends and Satisfaction for the Injury he had done me, in his own way, which the other does not endeavour to do, and said, But, Master, if you please I will Swear for you at any time when you have Occasion. I was Surprized at his Ignorance, and told him with some Indignation, that I would not have any one take a False Oath for me, if I might thereby gain the Worth of the whole Town.

But I believe I shall lose this Voluntary, Universal Affidavit Maker, for of late the Defendant has tamper'd with Him, to deny upon Oath before the Mayor what he then Deposed: Or to Unsware what he then Swore to (like a Bible-Clarke in the University who having through a Mistake Toll'd the Bell for Exercise, said, he would go and Untol the Bell again.) But he would not consent to it, neither would his Wife suffer him again to Perish his Conscience, as she told me; Tho' the Motive he
used

used to Corrupt him by, was, that then he would make the *Parson* Spend an Hundred Pounds more. Methinks such a one should rather set about the great work of his Repentance for the many Injuries he has done *Him* and others, than use such an Argument in the 75th. Year of his Age! And the least Reflection to be made on it, is, in *Solomon's Words*, Prov. 24. 8. *He that deviseth to do Evil, shall be called a Mischievous Person.*

These were some of the Witnesses that were gleaned up, to lessen the Value of the Mill. But the Value of it, being very considerable, and obvious to every Body almost, it was no difficult matter to prove the Truth of it, which I did by very *Credible Evidence*, and particularly by a Daily Account of what had been sometimes Grinded there, and for many Months carried thither by *Clapp the Loader*, and sometimes by *others*, to be Ground there, besides the vast Number of Alehouses in the Town, there being no less than about Sixty or Seventy (it may be with an Exception to Two or Three, to take off the Odium) that are generally obliged to Grind at the Mill, otherwise half the Number are sure enough to satisfy the Occasions of the Town; And besides private People, who may have Business at the *Town-Hall*, must expect no Favour, I will not say Justice; 'Twill be look'd upon a Misdemeanour and Matter of Complaint if they do not so too.

These

These Depositions being returned; The Cause came on again before the *Baron's of the Exchequer*, and upon a full hearing of Counsel on both Sides, they all Four unanimously gave their Opinions for the *Defendants* to Compound with the *Complainant* for the Value proved; and *Decreed*, full Cost from the beginning to the end of the Suit in their *Court*, not at all meddling with the Cost in the *House of Peers*. And so the Matter was Referred to the *Deputy*, to make his Computation of the Tithe and Cost.

T. B. and
R. M. From which Decree, so Clear, Just and Reasonable, did they oblige their then Two *Representatives in Parliament* to enter a *Second Appeal* to the House of Peers to take off the Costs. This was very little! very mean, truly! and could be nothing but Oppression! But being sure of the then M---ry, no doubt but they would have done so: However, I were resolved rather to lie under the Oppression, than to make an end of the Suit upon any dishonourable Terms.

And had not prevented that Appeal, by consenting to so easy a Composition as I did, for the Arrears of *Tithes and Cost*, had it not been out of great Respect to the *Barons*, who might have met with a *Censure* from some People, for their so firmly adhering to the Obligation of their Oaths, and the Justice of their Honourable Court.

This

Impiety of Tithe Stealing. 93

This is a brief Account of the Matter of Fact that relates to the *Three* several Tryals in the Court of Exchequer, and one in the House of Peers, by which the Reader will see the Unkind and Oppressive Usage I have met with in Vindicating an undoubted Right of the Church, at a very disadvantageous Time, and on very unequal Circumstances; and by which, the Interest of Religion is considerably Damnified, throughout the whole Kingdom, since by it the Revenue of the Church suffers a Diminution. And I believe never a Corporation in England before sat their Seal, or entred into so Unjust a Confederacy! And since Satisfaction in this Case is plainly and absolutely necessary; to make in part an Amends for that Injury, I do hereby Recommend to that great Majority of our Corporation, who occasioned so great a piece of *Sacrilege and Oppression*, (I do not mean all) because Two or Three of the most Considerable did not appear, and would otherwise have abhorr'd the Suit, and the specious Confederacy to carry it on) I say, to make in part an Amends for the Injury, I do recommend unto them, the Building and well Endowing of Another Church in our large and populous Town of *Triverton*, where it is so very much wanted. And if they would be as Unanimous and Industrious in Raising up a New One, as they were in Prejudicing the Old, it would soon be Effectually done.

The

The present Excellent *House of Commons* has set them a Noble Example, by ordering the Building of Fifty New Churches in the Suburbs of the *Cities of London and Westminster, and Places Adjacent*, amidst all the Difficulties and Discouragements of a Tedious and Expensive War, for the preventing of Schism and Irreligion.

I am thoroughly perswaded *that* would effectually do it in our *Town*, and I believe in most *Towns of England*. They cannot plead Inability, and the Badness of the Times, unless they intend always to put off the doing of *Good*, till the Days of their Lives are too far spent, and the *Night comes upon them wherein no man can work*.

They have already *Consecrated Ground*, in Two proper places of the *Town*, whereon to set it, belonging to the *Corporation*, on which stand Two Chappels, now put to Prophane Uses; One Dedicated to *St. Andrew*, heretofore made a *Bridewell*, and now an *Alehouse*. In the Yard of which stands this *Sacrilegious Mill*. The Other Dedicated to *St. Thomas*, in the open Street, which is made a *Goal* of underneath, and at top the *Town-Hall*, wherein was made the Combination, to oppose the *Right of the Church*, by a Vexatious and Expensive Law-Suit.

The Account of which, I thought fit to Publish for the satisfaction of my Friends, and to deliver my own Soul; and especially to forewarn my *Adversaries* of future Danger,

Danger, that they may speedily take the only proper method to save theirs.

Which Danger can never be avoided without the Sincerity of *Repentance*. And it must be a very severe one to blot out so great and complicated a Transgression, as that of *Sacrilege*, violently carried on by an Oppressive Confederacy of above *Twenty Persons*; by many False Witnesses, hereby drawn into Perjury. And by other unfair and unjust Ways, made use of to elude the force of divers *Express Laws* Enacted to secure the *Church's Right*. A lesser degree of Wickedness might in time prove the Dissolution of the whole *Corporation*, already Accursed for this.

But so great a one loudly calls for a *Restitution* in this World or the next; if not made in this, the *Injured Church* will call for Vengeance hereafter, when the *Soul* is Separated from the Body, it may for that Reason meet with a greater Separation from God. *Quod Absit Deus.*

F I N I S.

REPORT OF THE
COMMISSIONERS OF THE
LAND OFFICE
IN ANSWER TO A RESOLUTION
PASSED BY THE HOUSE OF COMMONS
ON THE 12TH MARCH 1885
RELATIVE TO THE
LANDS BELONGING TO THE
CROWN
AND
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